

**TEXT FLY WITHIN  
THE BOOK ONLY**







625.342

D 51 D. V. 1  
I.

Dewey.A.G.

.Dominions and Diplomacy.

1929.

12.10.49 BNCBLS

**OSMANIA UNIVERSITY LIBRARY**

Call No. 325.342/DS1D

Accession No. 15381.

Author Dewey, A. G.

Title Dominions & Diplomacy.

This book should be returned on or before the date last marked below.

---



THE DOMINIONS  
AND DIPLOMACY

LONGMANS, GREEN AND CO. LTD.

39 PATERNOSTER ROW, LONDON, E.C. 4

6 OLD COURT HOUSE STREET, CALCUTTA

53 NICOL ROAD, BOMBAY

167 MOUNT ROAD, MADRAS

LONGMANS, GREEN AND CO.

55 FIFTH AVENUE, NEW YORK

221 EAST 20TH STREET, CHICAGO

TREMONT TEMPLE, BOSTON

128-132 UNIVERSITY AVENUE, TORONTO

# THE DOMINIONS AND DIPLOMACY

The Canadian Contribution

BY  
A. GORDON DEWEY

M.A. (McGILL), PH.D. (COLUMBIA), DEPARTMENT OF PUBLIC LAW  
COLUMBIA UNIVERSITY

VOLUME I

LONGMANS, GREEN AND CO.  
LONDON ♦ NEW YORK ♦ TORONTO

1929

*Made in Great Britain*



## PREFATORY NOTE

THE author has for the past few years been resident in the country from which one branch of his forebears emigrated to Canada more than a century and a quarter ago. He makes bold to offer his comments on the problems of the Commonwealth in the belief that, to one with the requisite background, the angle of observation afforded by a great American university centre is in some respects peculiarly advantageous for his purpose. Not least of these advantages, in his opinion, is the incentive to realise how preoccupied throughout the course of the Britannic controversy the participants have been, and still are, with the purely internal relations of the Commonwealth—and this despite the obvious bearing which the exigencies of world politics must have upon the outcome. Economic forces transcend the rhetoric of the legalists, and while the British nations argue status the Fates weave on. By residence over the border, furthermore, one does not necessarily lose touch with Canadian and other British developments, while, on the other hand, one may frequently derive profit from the illuminating and more detached comments of observers with a different outlook. The excellence of the library facilities in this metropolis, too, must be tested to be appreciated.

Special acknowledgment is due, for unfailing courtesy and assistance, to the staffs of the American History Division of the New York Public Library, of McGill University Library, Montreal, and particularly of Columbia University Library. The author desires also to express his indebtedness to *The Canadian Annual Review*, *The Round Table*, and *United Empire*, which have afforded him numerous extracts from public utterances not otherwise so readily available, and his still greater obligation to *The Journal of the Parliaments of the Empire*, without which the task of studying the various parliamentary debates since the War would have been tremendously increased.

A. G. D.

NEW YORK CITY,  
April 22, 1929.

## ACKNOWLEDGMENTS

THE Publishers desire to acknowledge their indebtedness to the following for permission to include extracts from their copyright publications in this work :

Sir Austen Chamberlain and Messrs. Constable & Co., Ltd., for extracts from *Mr. Chamberlain's Speeches*, edited by C. W. Boyd.

Lady Parkin for passages from Sir G. R. Parkin's *Imperial Federation*.

Messrs. Chapman & Hall, Ltd., for extracts from *The Empire in Eclipse*, by R. Jebb.

Mr. John S. Ewart for passages from his *The Kingdom Papers* and *The Kingdom of Canada*.

Lady Milner and Messrs. Constable & Co., Ltd., for quotations from Lord Milner's *The Nation and the Empire*.

The Oxford University Press and Victoria College, Toronto, for extracts from *The British Empire and World Peace* by N. W. Rowell.

The Secretary of "The Royal Empire Society" for extracts from the *Proceedings* of the Royal Colonial Institute, including one from a paper by Sir F. Pollock, and for passages from *United Empire*.

The Editor of *The Round Table* and Messrs. Macmillan & Co., Ltd., for extracts from that review.

The Editor of the *Journal of the Parliaments of the Empire* for quotations from that journal.

# CONTENTS OF VOLUME I

CHAPTER	PAGE
INTRODUCTION . . . . .	ix
I. ISSUES AND POINTS OF VIEW . . . . .	I
<p style="margin-left: 40px;">Features of the old Imperial system ; the Colonialist outlook and its characteristics. The Nationalist revolt from Colonialism ; ingredients of Dominion Nationalism. The Imperialist movement ; misrepresentation of Imperialist aims and objectives ; Imperialism as a wider Nationalism ; essentials of the Imperialist outlook. Comparison of these schools of thought ; basic conflict in attitudes toward world politics. The Imperialist programme, reactions from the different viewpoints to the several issues ; strategic advantages of the Nationalist position ; rise and decline of Imperialism.</p>	
II. IMPERIAL FEDERATION . . . . .	70
<p style="margin-left: 40px;">Imperial federation the focus of Imperialist effort ; analogy to Federalists in the United States ; relation of federation to the other issues. Essential features of federal as contrasted with confederate system. Main arguments pro and con ; relation of federation to Dominion autonomy and Britannic equality. Course of the federation movement ; Chamberlain's Imperial Council scheme, 1897 and 1902 ; the Pollock-Lyttelton-Deakin Advisory Council scheme, 1905 and 1907 ; Ward's " Parliament of Defence " scheme in 1911 ; proposals for an Imperial secretariat ; the Committee of Imperial Defence. Contemporaneous decisions favouring the confederate basis of Imperial relationships ; Imperial Conference organisation and procedure ; " Resolution 1 " of 1907.</p>	
III. COMMERCIAL TREATIES AND LOCAL POLITICAL QUESTIONS . . . . .	150
<p style="margin-left: 40px;">The grant of fiscal autonomy ; Colonial Nationalism ; emergence of separate commercial policies and external relations. Decentralisation of Canadian commercial negotiations ; Galt and Tupper ; the Ripon despatch 1895 ; Laurier, the French Treaty and the Lemieux mission to Japan 1907. Dominion emancipation from existing Imperial commitments. Future treaties, the principle of optional adhesion and withdrawal. The commercial treaties controversy maps out the line of future developments. Effects of popular criticism in Canada of British diplomacy</p>	

relating to her interests; the Alaskan Boundary issue. Dissatisfaction in Australia and New Zealand with British policy in the Pacific. Contrasting circumstances of these Dominions lead to demands in the one case for devolution of local questions and in the other for participation in Imperial counsels. Course of the devolution upon Canada of negotiations touching her relations with the United States; the International Joint Commission. The Dominions and International Conferences prior to the War.

#### IV. THE CONDUCT OF HIGH POLICY AND DEFENCE PRIOR TO THE WAR . . . . . 216

Imperialist defence strategy; opposing factors. The South African War and Canada; the Laurier policy; emergence of the German menace. The 1902 Conference and Chamberlain's appeal. Subsequent Conferences and defence; the Australian navy; the Canadian naval controversy. Dominion appeals to the Imperial Conference in 1907 and 1911 on foreign policy; the Pacific question, Newfoundland fisheries, and the Declaration of London. Ward's proposals and the Asquith ultimatum; *modus vivendi* reached by the 1911 Conference. Borden's pronouncement. The Dominions and the Committee of Imperial Defence.

#### V. THE ORGANISATION OF THE BRITISH COMMONWEALTH 304

The Great War and the renewal of Imperialist hopes and efforts; resumption of the federation movement. Misapprehension of Dominion motives and attitudes regarding the War; Nationalists as well as Imperialists demand a reform of constitutional relations. The Imperial War Cabinet. The Imperial War Conferences 1917 and 1918; "Resolution IX" and Britannic equality. The Conference of 1921; Imperialist hopes and Nationalist apprehension; federation indefinitely shelved. The establishment of the Irish Free State and Dominion status. Persistent constitutional controversies. The Imperial Conference of 1926; the Balfour memorandum; the bases of Britannic relationships. Existing machinery of co-operation. Britannic Question henceforth essentially that of the conduct of Imperial foreign relations.

## INTRODUCTION

THE most salient feature of the Britannic Question thus far has been what might be termed its "inwardness." It has always been treated as essentially a family matter. Discussions have been characterised chiefly by a preoccupation with the constitutional relations of the Mother Country and Dominions, with the attainment of formal equality among the British nations and the removal of the last vestiges of the hegemony of Downing Street. Most participants in the controversy have, after all, been thinking in terms of the nineteenth century and its constitutional struggles, and have ignored the international problems which the attainment of their objectives must inevitably raise for every member of the Commonwealth in the future. Even the Imperialists and their successors, the more ardent Co-operationists, keenly alive as they always have been to the (to them) tragic consequences which disruption would entail, have focussed their arguments upon the desirability of continued unity as such and the constitutional issues involved in its maintenance.

As a result there has been marked confusion between the internal and the external aspects of the problem. It has been assumed, popularly at least, that once a principle has won acceptance by the Home Government, the issue is resolved. A formula which Sir Wilfrid Laurier enunciated in 1900 to govern the relations of Canada and the Mother Country, and which he avowed had no force in international law, has now been made the cornerstone of the Commonwealth. Principles have been fought for and vindicated at Imperial Conferences which would seem to be valid only within the Commonwealth itself, and to which foreign Powers will accord attention merely as suits their own advantage. The efforts of Nationalists to gain recognition among the nations for the discretion which they presume to

reserve unto themselves as regards Imperial commitments, have served merely to enhance the anomalies in Dominion status, and to set forth more clearly the dilemma which would confront the Dominions in the event of a major crisis. For instance, discussing the implications of Locarno, the Free State Minister of External Affairs frankly admitted that, as far as their contentions were concerned, "from the point of view of utility the position of the Falkland Islands would be much more effective" than their own.

Furthermore, even the Imperialists have devoted little if any attention to examining the Nationalist assumption that without the Empire each British nation may continue to live unto itself alone. It seems true that in world politics to-day the small nations must all join the constellation of some neighbouring Great Power; they cannot maintain an attitude of splendid isolation. If the Dominions are to swing outside the orbit of the Empire, to what will they attach themselves? In this respect the future of Anglo-American relationships is of transcending importance—certainly as regards Canada, Australia and New Zealand. Under these circumstances it behooves students to devote their attention less to the constitutional relations of the Commonwealth, and more to the forces operating in and upon the several British nations and to their general situation in relation to world affairs. The British Commonwealth is still in a critical period of transition. It appears to have entered upon a new phase of development which renders a consideration of its problems more than ever necessary. It would also seem probable that now, since most of the outstanding constitutional issues have been settled and a lull afforded in this discussion, even Nationalists will turn to a pondering of the future and an analysis of their thesis. The Britannic Question bids fair to lose its inwardness and be re-examined in the light of contemporary world politics.

Apart from several recent handbooks, admirable save for their brevity and consequent inadequacy, and some extensive surveys, mainly historical in their treatment, which owing to limitation of space are content ordinarily to chronicle developments without attempting much analysis thereof, discussions of the Britannic Question have been frankly controversial. The latter have been the best treatments of the problem. But however interesting to the sympathetic reader they may be, they are nevertheless

founded upon assumptions not universally held, and lack appeal for those who reject the author's premises. Since an understanding of the issues depends primarily upon a comprehension of the conflicting viewpoints and objectives involved, they fail to offer the merely inquiring student an adequate grasp of the implications underlying the episodes discussed, or of the forces conditioning them.

The Britannic Question is far too complicated to be disposed of with summary treatment, or with discussion of isolated phases of the problem. It is useless, in the first place, to approach the subject without a careful analysis of the divergent attitudes held by participants in the controversy, and in so far as they have revealed them, the aims they have in view. So antithetical are these that their proponents seem in effect to be speaking different languages. What is closest to the Imperialist's heart literally does not exist in the Nationalist's thinking; to one Canadian, such as Mr. Ewart, the ideals of another Canadian, such as the late Dr. Parkin, appear to have been not merely mischievous but incomprehensible. The result has been a confusion and misrepresentation of objectives which has not merely obfuscated the discussion, but has had, in Canada at least, a paramount influence upon its outcome. The probable destiny which each of these schools of thought has actually if not avowedly held forth for the Dominions also merits careful consideration.

In the second place it is essential to analyse the successive episodes in the evolution of the Commonwealth and note their implications. Britannic relations have broadened down from precedent to precedent, but each of the latter has evoked much controversy as to its significance. Legalists have joined issue with those who emphasise the political implications, protagonists of continued unity have depreciated the effects of successive changes while Nationalists have as greatly exaggerated them, and failure to indicate clearly whether their internal or their external bearing was under consideration has also produced marked disagreement. Moreover, each of these minor crises has been the focus of conflicting reactions, the resultant of which has prepared the way for meeting the next occurrence. Only a broad yet somewhat detailed survey of developments will suffice to indicate the relative importance of each and their relation to one another.

An understanding of the Britannic Question, in the third

place, depends upon a comprehension of the forces, centrifugal and centripetal, which are operating in and upon the Commonwealth. An adequate study of these, particularly of the economic interdependence of Canada and the United States, would seem a better aid to statesmanship than recourse to slogans, time-worn shibboleths or evangelical appeals, on the part of either Imperialists or Nationalists, and only upon such a study can any forecast for the future be based. Public opinion is within broad limits susceptible of deliberate manufacture, but behind the dynamic elements in its creation there must lie a sound basis of interest. Meanwhile some appreciation of these forces is possible through examination of the groups of opinion which are the reflections of them in the various nations of the Commonwealth.

The present writer feels that a word of explanation, though not of apology, is needed regarding the comparatively large amount of space which has been accorded throughout this study to analyses of parliamentary opinion and Imperial Conference discussion relating to each successive major episode in the development of the Commonwealth. His own and doubtless the reader's task would have been much simplified had he limited himself to a brief résumé of critical comment regarding the several precedents as they were established. This, however, would have afforded but a slight inkling of those broad and conflicting stirrings of opinion by which the whole trend of the controversy has been conditioned and which will determine its outcome. It is upon the numberless impressions acquired in the course of observing the diverse reactions occasioned by the several episodes which comprise it that one's comprehension of a broad movement is based. Without these, mere critical comment by some writer is of small aid. Hence it has been thought well in the present study to include ample material upon which the reader may base his own judgments as to the progress of events.

At the same time the author has virtually confined his attention to the pronouncements of the official spokesmen of the several governments and of recognised party leaders in the various Parliaments. Popular opinion throughout a country rapidly finds expression in parliamentary utterances; in any case it is governmental action which actually determines issues, and in external relations what Bryce terms "the apathy of the multi-



tude " is particularly noticeable. Yet to confine one's attention to official despatches and Imperial Conference discussions, and to ignore the standpoints of the several Oppositions and influential private members, would result in a thoroughly distorted view of the course of events and afford no clue to those apparent changes in attitude on the part of the various British nations which have characterised the controversy thus far and will continue to do so. With all due respect to those historians who disparage the influence of leadership in political movements, it would be difficult to refute the contention that the continued leadership enjoyed by the Nationalists in the person of Sir Wilfrid Laurier (as contrasted with the shifting foci of Imperialist opinion) during the formative period prior to the War has had a paramount influence upon the evolution of the Commonwealth, and that the marked decline in Imperial co-operation since the Washington Conference has been in no small measure associated with the accession to power of the King Government in Canada. Oppositions become Governments and acquire a direct share in the determination of events, so that their policies, their interpretations of opinion upon Imperial issues, also warrant serious consideration.

As will be seen, the rôle among the British nations attributed in the present volume to Canada has been an outstanding one. This has not been even primarily the result of the author's intention to survey the subject from the point of view of Canada's relation thereto. It is true that to follow the evolution of the problems through all their ramifications, not only in Britain but in each of the Dominions, would involve a long and intimate acquaintance with the political and economic affairs of all of them which few students can possess. Quite irrespective of this, it is felt that the emphasis upon Canada is justified and bears a fair relation to the part she has played in moulding developments.<sup>1</sup> This should become evident in succeeding pages. Since the Dominions, rather than the Mother Country, have shaped the problems, it is best to approach the controversy from that standpoint. Canada is in almost every respect the senior Dominion. Circumstances not only gave her the lead in economic

<sup>1</sup> See an article by the present writer on "Canada's Part in the Britannic Question," in *Canadian Historical Review* (December 1927), vol. viii. pp. 284-301.

and political evolution, but she has pointed the way in the reaction of the Outer Empire to Imperial issues. During the crucial formative period between the South African and European Wars, when a definitive reception was accorded the Imperialist movement, the figure of Sir Wilfrid Laurier stands pre-eminent among the Premiers. Throughout these years the leading precedents were, with few exceptions, Canadian-made. During the decade of maximum Britannic co-operation which followed, these principles still governed, though given an Imperialist emphasis. Borden, Hughes and Smuts alike entered into his labours. The critical decisions of the succeeding years, which culminated in the Conference of 1923 and the Locarno Pact (considered in chapters viii and x of this book) were all the result of Canadian initiative—or intransigence.

To the student of contemporary Nationalism, Canada offers an especially fertile field, torn as she has been between the operation of forces which would tend to strengthen her connection with the Empire on the one hand, to attach her to the United States on the other, and finally to develop within herself a strong and self-reliant nation. Her geographic position as well as other factors have resulted in a clearer formulation of conflicting attitudes towards the Britannic Question than is discernible elsewhere. The resultant policies have therefore been more sharply aligned. Finally, the situation of Canada in relation to her southern neighbour not only has had a significant bearing upon Imperial issues by conditioning the Canadian reaction to them and thus largely determining the outcome, but also raises thorny problems for the future which, although relating primarily to Canada, cannot fail to be of vital interest to the Empire as a whole. As from her attitude Canada has been the predominant influence in the past, so by her position she is bound to be the key Dominion in years to come, and merits whatever emphasis students place upon her circumstances and policies.

The author has sought in the present study to devote as adequate consideration as has been practicable for him within the scope of a single volume, to the nature of the Britannic Question and of the Imperialist movement which precipitated it, to the antithetical viewpoints and aims of the participants in the controversy, and to the course of the paramount issues of Britannic organisation, the conduct of foreign affairs, and defence. These

have been the more strictly political problems, those which have attracted most popular attention, and they do admit of separate treatment. That of Imperial economic organisation, or more broadly, of the economic factors which have been operative in the Commonwealth, the fundamental importance of which has on the whole been neglected by commentators with the notable exception of Mr. Jebb, is a vast subject in itself and must be reserved for later discussion.



# THE DOMINIONS AND DIPLOMACY

## CHAPTER I

### ISSUES AND POINTS OF VIEW

THROUGHOUT the nineteenth century the British Empire may be said to have remained in form, even if in many vital respects it was not in fact, a unitary state. British constitutional law as yet presented no anomalies to plague the Austinians. Legal sovereignty was clearly vested in His Majesty in Parliament of the United Kingdom ; the advice upon which the Crown acted was that of the Home Cabinet, even if actually it were merely the transmission of a decision by the Privy Council of a Dominion. Greater Britain was an Empire in the ordinary sense of the term, for the constitutional relation of the Mother Country to the Dominions and Colonies was that of dominant and subordinates. Like county councils in England, the Dominion governments were legally the creatures of the British Parliament, and their constitutions were acts of that Parliament, legally subject to modification at its caprice. Determination of their domestic policies (notably their fiscal relations) had been devolved upon the self-governing Dominions, but with their territorial limits their jurisdiction ceased. Their legislation also was void to the extent of its repugnance to acts of the superior body, and was subject to veto or annulment by the Home Government. Moreover the Governor-General was still regarded as the effective agent of Downing Street within each Dominion. Of equal significance, the defence of the Empire was still the sole care of the Mother Country, and with that responsibility there went a correlative retention of authority in her own hands. Although minor external relations had been devolved upon the Dominions under

her supervision, the conduct of all important foreign policy remained a monopoly of Great Britain. Consequently the question of the legal and diplomatic unity of the Empire had not even been broached as yet. In short, however lightly or heavily the maternal hand might rest, the colonial relation was essentially that which has been most effectively described by the metaphor of mother and children. Although to-day many of these forms remain to furnish the literal-minded with grievances, it is nevertheless obvious that a momentous revolution has intervened in the substance of Imperial relationships.

*Colonialism, Nationalism, Imperialism.*

With the colonial relation there went a corresponding attitude of mind, perhaps best characterised by the term "Colonialist." This freely accepts and is content to perpetuate what Jebb dubs "British Ascendancy,"<sup>1</sup> recognition of the paramountcy of the interests, responsibility and control of the Home Government in all matters of Imperial concern. On the part of denizens of the Mother Country it is evidenced in a patronising, possessory tone, epitomised in the term "our Colonies," in manifestations of resentment at the receipt of advice from overseas that domestic policies at home should be modified in the Imperial interest,<sup>2</sup> and in general in a tendency to identify the particular concerns of

<sup>1</sup> *The Britannic Question*, passim.

<sup>2</sup> This is well illustrated by the following outburst from a participant in the discussion of an address before the Royal Colonial Institute (January 17, 1905):

"... I have the misfortune not to be a Colonist, but the good fortune to be an Englishman. With regard to the speech of the ex-Senator we are very glad to hear the view of the Colonies on matters which apply particularly to the Colonies, but when we get the Colonies coming here to tell us free trade is best for Australia, but our business is to be protectionists, I am reminded of the old saying about teaching your grandmother how to suck eggs. We take the liberty of thinking we know what is best for ourselves. . . . Are we, the Mother Country—which represents the dog—to be wagged by the tail—the Colonies? I claim the liberty to follow my own views. I did not certainly come here to be told I am to be a protectionist at the dictation of Australia, which is what we heard in the latter part of the address. . . . It is time to consider where we are when we are lectured up and down the country as to what we are to do to retain our relations with the Colonies. Our relations are strong. Yet, God bless my soul! it is the South African War that is trotted out on every occasion when something is wanted by the Colonies from the Mother Country, or, perhaps I should put it, when the Mother Country is asked to give up something for the Colonies. As a lawyer I am inclined to remind you there is such a thing as a statute of limitation."—*Royal Colonial Institute Proceedings*, vol. xxxvi. p. 124.

the United Kingdom with those of the Empire at large. On the part of Colonials who share this attitude there is a reciprocal inferiority complex—a pronounced admiration for the society, culture, history, military prestige, political and social institutions and the industrial products of the Mother Country, as examples which should always be held up for colonial emulation. So, too, offering advice to the Home Government upon general issues was strongly deprecated—Imperial interests were presumed to be in safe and far more experienced hands.<sup>1</sup> As illustrations of Colonialism in general, there may be cited that deportment which provoked the “No Englishmen need apply” notices in the Canadian Northwest, the well-known war poster of the lion and lion cubs, and the various controversies in the past over the status of colonial officers in the British Army. On the other side, there was Canadian ridicule of their “tin-pot navy” during the discussion just preceding the War and that seeming preference on the part of their countrymen for imported British goods which has so distressed the Canadian Manufacturers’ Association.

The Colonialist outlook, like most points of view, has its economic basis; in this case historically a famous one. The Colonies are regarded primarily or solely from the point of view of their advantage to the Mother Country. They are to supply her with food and raw materials as necessary, with markets for her products and outlets for her surplus population and capital as her interests dictate, and with carrying trade for her ships. In return the Colonies gratefully receive from her the necessities of life in their earliest days, and more continuously, protection from enemies and the benefits of an imported old-world culture in its various aspects. An outstanding example of this viewpoint, and in a Colonist at that, is Sir J. Robinson’s “The Colonies and the Century” (1899). This was written to vindicate a thesis maintained against the Little-Englanders thirty years before, and he even goes the length of tabulating for several pages the advantages accruing from retention of the Colonies, *primarily for the Mother Country*, and the disasters which would follow

<sup>1</sup> *E.g.* reaction of the Conservative members in the Canadian House to Mr. Bourassa’s motion regarding peace terms in South Africa (*infra*, ch. iv). There is a lingering element of Colonialism in the attitude of Premier Coates of New Zealand toward the conduct of the Locarno negotiations (*infra*, ch. x).

disintegration.<sup>1</sup> This neo-mercantile theory was also a pronounced ingredient in Mr. Chamberlain's earlier proposals for Imperial free trade, and still found much favour in several Colonies (though emphatically not in Canada). It must not, however, be confused with the Imperialist reaction to the fiscal issue, as exemplified by Hon. Geo. E. Foster in Canada and latterly by Chamberlain, in their preferential tariff projects.

Reaction from Colonialism, both in the Mother Country and the Colonies, resulted more immediately in Nationalism rather than Imperialism, which required a comprehensiveness of view more halting in its development. It is easier to describe the nature of Nationalism in broad, general terms than to apply it specifically to the vicissitudes of the Britannic Question, for the label "Nationalist" has been applied to what was in origin, and still is largely in content, essentially an attitude of dissent, with all the heterogeneity that dissentient groups usually display. Reactions to specific proposals are frequently misleading. It requires a synthesis of a man's whole attitude in order to determine correctly how he stands. The Nationalist is characterised by a preoccupation with the interests of that part of the Empire which is his home. To that part, for all practical purposes, his loyalty is confined, and with the affairs of the remainder he is but mildly concerned. He would secure for his own country independent self-sufficiency—economic, political, social, legal. He would allow each nation of the Empire to pursue that policy which it considers to be in its own best interests, without meddling in the affairs of the others, or tolerating interference on their part.

To its Imperialist critics at least, the essence of Nationalism appears to be a circumscription of outlook and interest, and hence of patriotism—in short, provincialism. It is certainly true that—while the genuine Imperialist placed the interests of the Empire first, those of his own part of it second—to the Nationalist the concerns of his own country were always paramount and in most cases filled his entire horizon. This antithesis must be noted from the outset; it has manifested itself repeatedly, whenever a presumed conflict of loyalties has arisen, and is the fundamental basis of distinction between these schools of thought. By the same

<sup>1</sup> See also the arguments of a Colonialist Canadian, in G. C. Cunningham, *Wake Up, England!* (1919).



token Nationalism has had its extreme and moderate exponents. It is essential to an understanding of the Britannic Question to remember that, as regards large sections of the population both of the Mother Country and the several Dominions, all the periodic appeals from Imperialists for closer unity, and their expressions of apprehension that disintegration might end the course along which the Empire was drifting, fell upon deaf ears. Actually their basic assumption that the maintenance of Imperial unity constituted a desirable end in itself was either ignored or flatly denied in many quarters. The extreme Nationalist cared nothing for the Empire, in fact in his day-to-day thinking it literally did not exist. In a typical denunciation of the Little-Englanders, Joseph Chamberlain gave the gist of the Imperialist complaint as follows :

When I read certain of their speeches I cannot find in any one of them any trace of a true appreciation of what the Empire means. I cannot find any enthusiasm, any sentiment whatever, any chord that can be touched, that will strike to this great ideal, as I believe it to be, of the British people. No, Sir, I hope I do not do them an injustice, but I cannot see that they care one brass button about Imperial union.<sup>1</sup>

Over against this should be set the following comment by Mr. Ewart upon an utterance of a Toronto Imperialist :

My friend thinks that what we need is "a great regenerating baptism of devotion to the Empire and the imperial spirit. . . ." I venture to suggest that there is no use trying to arouse devotion to something that nobody can imagine or form any idea of—that there is no use in having a christening until you have something to christen. Very metaphorically and poetically (perhaps) you may baptise a sentiment—even a devotion, but somebody must undertake to formulate (even if it be very roughly) some notion about the devotion, before it can be conveyed to the ceremony. What—precisely and in plain prose—is it that we are to become enthusiastic about, and take to church for religious consecration ?<sup>2</sup>

This marked indifference, if not active enmity, to the Empire as such was, however, characteristic of the more extreme Nationalist outlook only. Nevertheless its significance is out of all proportion to the numerical weight of its exponents, in that it was the left wing group which actually formulated the content

<sup>1</sup> At Birmingham (November 4, 1903) : *Speeches*, C. W. Boyd, ed., vol. II. p. 243.

<sup>2</sup> J. S. Ewart, *The Kingdom Papers*, No. 3, vol. i. pp. 91-92.

of Nationalist doctrine. The outstanding instance in this connection is doubtless Mr. Ewart of Ottawa. Whatever students may think of his logical acumen or historical perspective, the influence of his writings<sup>1</sup> upon parliamentary Nationalism, not merely in Canada but in South Africa, has been portentous, and is obvious upon even a cursory perusal of the debates upon Imperial relations in these Dominions. Another highly potent factor for upwards of a quarter-century has been Henri Bourassa, whose grasp of the realities of international affairs, by the way, is by no means in inverse ratio to the strength of his convictions.

The more moderate Nationalists, in contrast, found ample room for the Empire in their thinking, even if it held but second place in their affections. Their opposition to the Imperialist movement, in fact, was mainly due to their acceptance of the extremist analysis of its aims (to be considered in a moment), to their faith in the contention that no alternative between maintenance of the Colonial relationship and Nationalism lay open to the Dominions. This also accounts for their expressions of zeal for the preservation of Imperial integrity—in the abstract—upon all convenient occasions, and their sincere contention that only upon the lines of development which they advocated could the true safety and welfare of the Empire be assured. As for the bulk of the population, both in Britain and the Dominions, they were absorbed in the daily round of immediate concerns; limitation of contact and opportunity as well as time to devote to public affairs restricted their outlook and interest regarding external relations, and favoured a preoccupation with domestic affairs which rendered them peculiarly receptive to Nationalist contentions.

The following statement of the Nationalist position by one of its most assertive exponents in the Canadian House may be taken as typical, particularly of a certain incongruity between the mode of saying things and the implications of what is said which is characteristic of such utterances :

I am one who believes in Canada first and the Empire next. That is practically the embodiment of my creed in regard to this matter. Canada to my mind should make her own constitution respecting the rights conveyed in the treaty of Quebec to Lower Canada. Canada

<sup>1</sup> E.g. *The Kingdom of Canada, The Kingdom Papers, Independence Papers, Canada and British Wars.*

should make the courts of final resort in all cases. Canada should define her own citizenship. Canada should make her own treaties. Canada eventually should select her own chief magistrate to be king or president. I have no hesitation in laying this down as my belief in regard to Canada's future and her connection with the Empire. . . . Until the responsibilities of Empire come, let us maintain our nationality, let us advance it, let us strengthen it, let us be prepared to defend it. I have always held that the clearer vision in regard to Empire is with those of us who are on the rim of the Empire rather than with those who are at the centre. In some way there is a kind of Imperial sleeping sickness which takes possession of many of those who are at the centre of the Empire, so that they do not quite see how grave the situation may be. And until such time as they are prepared to discuss the matter, we must go on our own way, we must work out our destiny as well as we can. When they are ready to discuss Empire we will be ready to discuss Empire with them. Now our first care as Canadians is our position on this continent. We must maintain our position on this continent and we must find a way of asserting our position.<sup>1</sup>

If relative circumscription of outlook and interest has been the essential characteristic of the Nationalist point of view, insistence upon Britannic Equality, as Mr. Jebb terms it,<sup>2</sup> is the feature of it which has been most stressed, especially of recent years. Now equality of status may exist in two respects. There is the equality of the States under the ægis of the central government in the American Union, wherein at the same time, diversity of political influence is recognised ; there is also that time-honoured equality of independent States in international law, now virtually repudiated, it would seem, in post-War relationships, in which actual as contrasted with formal status depends purely on relative strength of economic resources, armaments and alliances. Whereas the equality sought by Imperialists was of the former, that vindicated by the Nationalists implies the latter type of situation.

The Nationalist conception of Britannic Equality may be illustrated by three typical pronouncements. In his opening address to the 1907 Imperial Conference, Sir Wilfrid Laurier gave the gist of his position as follows :

We must recognise that there are many questions upon which public opinion in our own respective countries may not be the same as in this country. But upon one thing we are all agreed, and I believe

<sup>1</sup> W. F. MacLean (February 11, 1907) : Canada, *House of Commons Debates*, session 1906-07, cols. 2888-2889.

<sup>2</sup> *Op. cit.*, *passim*.

that if we keep this in view we can never go astray, that is to say, that if the basis of the union that now binds the British Empire remains as it is now, a proper and always permanent recognition of the principle that every community knows best what does for itself, then we cannot go wrong, and our deliberations must be fruitful.<sup>1</sup>

His political disciple and successor, Premier Mackenzie King, maintained that: "In matters between Canada and other countries, Canada should arrange her own affairs: in matters between Great Britain and other countries, Great Britain should arrange her own affairs, always when necessary with co-operation and conference between the two."<sup>2</sup> In May 1917 General Hertzog enunciated to the Afrikaner students at Stellenbosch a theory of Imperial relationships, or rather of Dominion status, identical with Mr. Ewart's. He said:

As far as the territory of the Union is concerned, we have been placed in possession of a perfect State organism of which the life-power rests with us. . . . In no single essential respect can any difference be observed between our State Constitution and that of Great Britain. . . . In fact, no self-government in the true sense of the word can exist without such independence from all other Governments of other countries, as also that of Great Britain. . . . We stand in no way under Great Britain or its Parliament or Government. The only bond which binds us together is our common King, but under him we each stand separately and independently of each other.<sup>3</sup>

These pronouncements illustrate both the political and the legal implications of the Nationalist standpoint—mutual non-interference in the one respect, equality of status in the other. It was essentially a principle of Imperial constitutional law for which they were demanding recognition, a principle which involved repudiation of the older hierarchical relationship under which the Dominions were constitutionally subordinate to the Home Government, and the substitution for it of a system wherein all the British governments were on the same plane, the Crown received advice of equal validity (though limited to their own concerns) from the several Ministries, and the various Parliaments were equally free to legislate upon all matters touching their interests. It has been the effort during the past quarter-century to secure the recognition of this principle which has given to the Britannic Question the characteristic 'inwardness'

<sup>1</sup> Cd. 3523, p. 7.

<sup>2</sup> Quoted in *Canadian Historical Review*, vol. iv. at p. 146.

<sup>3</sup> Quoted in *The Round Table*, vol. vii. at p. 822.

already noted, for such an issue of constitutional relations is purely internal to the Empire and hardly the concern of foreign Powers, nor can the latter be expected to take cognizance of it when established unless they choose. The attempt to carry this contention over into the field of international relations has had some humorous results, as when a Dominion government has asserted equal status with Great Britain, a great Power in her own right, in a small congress (*e.g.* the London Conference on Reparations) at which, if an independent nation, it would doubtless have been refused admission altogether, perhaps even a hearing. To what extent this latter aspect of the contention has constituted merely a gesture to reinforce the domestic side of the argument is of course a matter of speculation.

Nationalism, too, is basically economic. In Britain it has taken the form of a perduring "Little-Englandism," that naive yet shrewd live-and-let-live Liberalism, working almost solely from the standpoint of the Mother Country's interests, granting to the Colonies what they asked, in fact at one time regarding them as a useless burden to her and predestined to go their own way anyhow, the sooner the better. In the Outer Empire, rising Nationalism has evidenced itself in progressive demands for self-government, in strenuous efforts at internal development, in a utilisation of fiscal autonomy for the erection of protective tariffs even against the Homeland, and in a general determination to make of themselves self-sufficient, self-reliant nations. It has been revealed most strikingly in a willingness on the part of each Dominion to maintain its own separate policies in Imperial affairs not merely against sister nations, but against the Mother Country as well.

When the spread of neo-mercantilism had forced modification even of traditional English Liberalism, British Nationalists exhibited a sort of modified Colonialism. This was characterised by a sharp differentiation between the Dominions and the other Colonies. Towards the former, *laissez faire* was still the policy, and the principle of Dominion autonomy, "absolute, unfettered, complete," was sincerely maintained. As regards the Crown Colonies, however, the methods of modern economic imperialism, from the standpoint of the United Kingdom's interest rather than that of the Empire as a whole, were applied. This meant Colonialism towards one and Nationalism towards the other part

of the Empire, governance of the Colonies, alliance or co-operation with the Dominions. Such modified Colonialism, for example, was the attitude of Mr. Asquith at Imperial Conferences. He heartily encouraged Dominion autonomy, attempted no overbearance when their policies differed from his own, nor tolerated any interference on their part with the Home Government. Thus in 1907 he refused to modify British fiscal policies in the Imperial interest, and manœuvred to retain full administrative control of Imperial affairs within the Colonial Office. In 1911 he refused point blank to share with the Dominions any responsibility in foreign policy or over the Colonies, but at the same time objected to the Imperialistic suggestions of Sir Joseph Ward as an interference with Dominion autonomy, and concurred in the Nationalistic measures of the other Dominions. This point of view has been especially evident since the War. One notices, for instance, a distinct change of content and emphasis in *United Empire* during the last decade, apparently a marked enhancement, relatively, of interest in the development of the Colonies rather than in the relations of the Commonwealth, which is a reflex of the stimulated economic imperialism which has characterised Britain during this period.<sup>1</sup>

Just what constitutes the Imperialist point of view requires careful elucidation, for it is at once the most difficult to appreciate and has been the most frequently misrepresented. Anti-Imperialists have consistently confused it with Colonialism, and at the present time, when economic imperialism rules world politics, and the principles of neo-mercantilism govern the relations between stronger states and backward regions, such confusion is easy, if in this case unjustified. Save in the case of one or two publicists, who appear to be actuated more by personal animus against Britain than by concern for the welfare of their own country, however, it appears to be founded on genuine misconception, not deliberate misrepresentation. Nevertheless this failure to distinguish Imperialism from Colonialism has vitiated the whole Nationalist reaction towards Imperial problems.

<sup>1</sup> A further illustration, or perhaps a result, of this tendency is the growing practice of drawing a distinction between "The British Empire" (*i.e.* Great Britain with the Colonies and Dependencies) on the one hand, and "The British Commonwealth" (*i.e.* the self-governing nations of the Empire) on the other. See "A Frenchman on the British Empire," *The Round Table* (September 1928).

The Imperialists have habitually been represented by their opponents as aiming to maintain or re-establish as between the Mother Country and Dominions that relation of dominant and subordinates which characterised the old Colonial Empire. In other words Imperialism is identified with Colonialism, hence the only way of escape is Nationalism ; no third choice is offered the Dominions. Some concrete examples may serve to illustrate. Mr. Ewart, for instance, in a discussion specifically devoted to the nature, purposes, and effects of Imperialism,<sup>1</sup> begins by citing as his criterion a dictionary definition of "empire," to wit "an aggregate of subject territories ruled over by a sovereign state," and reasons from this standpoint. Incidentally he cites the hope of "that excellent imperialist, Sir Edmund Walker" for "an imperial parliament representing all parts of the empire," and makes this comment thereon : "But this is not imperialism at all. There is no relationship of dominant and subordinate in that scheme. It is one of equality. The United States for example, is a federation, not an imperial federation." Continuing, he argues that many persons calling themselves Imperialists are really Nationalists, and easily recognise this "as soon as imperialism is properly defined." During the debate in the Canadian House prior to the 1926 Conference, Mr. Bourassa succinctly stated that by "Imperialist" he meant "a man who believed that the British Association of Nations should be conducted primarily from London by the influence of London, and for the advantage of the United Kingdom."<sup>2</sup> One of the war-time asseverations of this French-Canadian rival of Laurier may well be quoted to illustrate the suspicion roused in representatives of National minorities within the Empire by those apostrophes to "race" with which Imperialists were wont to ornament their appeals. Of Imperialism Mr. Bourassa says trenchantly :

In its concrete and practical form, British Imperialism may be defined in ten words—the active participation of the Colonies in the wars of England. In a broader sense it implies the organisation and concentration of all the military forces of the Empire—both of land and sea—in order to help Great Britain to dominate the world ; the gradual suppression, or at least the subjection, of all the distinct nationalities which compose the British Empire, in order

<sup>1</sup> *The Kingdom Papers*, No. 2.

<sup>2</sup> *Journal of the Parliaments of the Empire* (March 22, 1926), vol. vii. p. 783.

to assure the world-supremacy of the Anglo-Saxon race, its thought, its language, its political conceptions, its commerce and its riches. It is the crushing of all competition and rivalry, both internal and external. It is the German ideal and the Roman ideal. It is the imperialism of every country, during every age, aggrandised by the monstrous pretensions of Pan-Anglo-Saxonism. Such a régime will end fatally in military conscription, in forced taxes, in the restriction, and finally in the annihilation, of colonial liberties.<sup>1</sup>

These pronouncements exemplify the extremist viewpoint. The fact that the more moderate Nationalists accepted their analysis has been one of the determining elements in the outcome of the Imperial problem. Sir Wilfrid Laurier himself represented Imperialism in the same light. During the debate on the Address, when he met Parliament after his return from the 1907 Conference, the Premier gave an account of how Dominion autonomy had there been rescued from Imperialist machinations, during which the proceedings were enlivened by the following colloquy :

LAURIER : When the Conference opened on the 15th April, 1907, the main question before it was what were to be the relations of the parent state and the young daughter nations. Was it to be a centralisation, or was it to be autonomy ? There were many who believed that these relations should be based upon the principle that the young daughter communities should be simply satellites revolving around the parent state, but others there were who held— and in my estimation rightly held—that the proper basis of the British Empire was that it was to be composed of a galaxy of nations under the British Crown.

FOSTER : I do not want to interrupt my honourable friend, but is my honourable friend speaking now of the views held by the members of the Conference itself ?

LAURIER : I am speaking of views held inside and outside the Conference.

FOSTER : Then will my right honourable friend please mention the names of those who wished to make the daughter Colonies subordinates or satellites ?

LAURIER : I think I shall not gratify the curiosity of my honourable friend.

FOSTER : I do not think my honourable friend can.<sup>2</sup>

When he himself took the floor, Hon. George E. Foster resumed his counter-attack on behalf of the Imperialists :

<sup>1</sup> From *Que Devons-Nous à l'Angleterre ?* (1915), Preface.

<sup>2</sup> Canada, *House of Commons Debates* (December 2, 1907), session 1907-08, cols. 41-42.



Now as to these three legends ; what are they in brief ? One is that at the Colonial Conference the right honourable gentleman played the part of a doughty hero on behalf of the threatened liberties of Canada and her sisters, the daughter states of the Empire. My right honourable friend surprised me this afternoon when he made the statement that he had to withstand the men who wished to make Canada and others of the daughter states mere satellites to revolve around Great Britain, occupying a position of humiliating dependence upon that power. I asked him the names of the men who took that position. But he had forgotten them—his memory failed him again. I ventured the assertion that he could not name them. And when he stated that it was a matter of appreciation I said that, to my mind it was a matter of fact, and I stated that I had read the records very carefully and failed to find a single man who tried to put Canada and the sister states in that position. Now, I do not grudge my right honourable friend the foremost position that in one way he took at the Conference. It was Canada's right, and I was glad to see him stand for the premier Colony. But there is no need for pretence and posing. From the time the Conference opened until it closed, there was not a single aggression made upon the rights of the daughter states—such a thing cannot be pointed to in the record.<sup>1</sup>

In all fairness it should be pointed out that the views of the nature and aims of Imperialism just cited are distinctly at variance with the consistent public utterances thereupon of the recognised leaders of this school of thought. The present writer personally holds no brief for Imperialism. He merely submits that the Britannic Question can be understood only on the basis of a triple, not a dual, classification of viewpoints, that to confuse Imperialists with either Colonialists on the one hand or Nationalists on the other merely beclouds the issue, and that this same confusion, this refusal to admit a third possible choice between Colonialism and Nationalism, has been a most potent factor in consolidating Dominion opinion and in determining the course and outcome of the controversy.

Imperialism, after all, means nothing more than a wider Nationalism, and acceptance of the implications which such a viewpoint carries with it. Nationalism, sociologists agree, is a state of mind associated with a definable geographical area. Patriotism is relative in scope and what should be termed "national" patriotism is largely a matter of definition. Just as to the American Nationalist in times past the exponent of

<sup>1</sup> Canada, *House of Commons Debates* (December 2, 1907), session 1907-08, cols. 82-83.

states' rights seemed provincial in his outlook, and to the "Native Son" from Ontario or the Middle West the attitude of his French-Canadian compatriot may seem in-grown, so the Imperialist finds it hard to be patient with the circumscribed loyalty of Little-Englanders, Canadian Native Sons, Afrikanders and others of that ilk. Conversely the anti-Federalist viewed with suspicion the centralising projects of his opponents, the adherent of provincial rights in Canada stands on guard against submersion in the larger political unit, and the Dominion Nationalist regards the Imperialist as a conspirator who would rob him of his local autonomy.

The definitive characteristic of the Imperialist is an Empire-wide outlook, a transcending Imperial patriotism to which local loyalties are subordinate and inferior—an attitude, however, which is incomprehensible, if not ridiculous or perverted, to the Nationalist, and leaves him cold. The whole Empire, not England, Scotland, Canada or Australia, is the Imperialist's country, and with perfect congruity, he often uses the term "National Unity" as a synonym for his ideal of "Imperial Unity."<sup>1</sup> Such an outlook is characteristic of the utterances of such avowed Imperialists as Joseph Chamberlain, Viscount Milner, Earl Grey, Dr. Parkin, Sir William Peterson and the other admitted leaders of this school of thought—perhaps less than a proportionate share of them, it is interesting to note, being Englishmen. Joseph Chamberlain, for instance, aptly stated their desideratum thus :

Multifarious we are in race, in language and in religion ; we all join in loyalty to one Throne, we all believe in the common interests and common privileges of Empire, of which the Crown is at once the guarantee and the symbol. The first duty of the century upon which we have entered is to confirm these loyal sentiments and to substitute in every part of the Empire broad Imperial patriotism for the provincial spirit which tends to separation and disruption.<sup>2</sup>

Viscount Milner early expressed his *credo* as follows :

I have striven to be a devoted citizen of Greater Britain. . . . I have no higher ambition than to be regarded as a man who, though he may live almost entirely in the Old Country, does not belong to it exclusively, but belongs to the whole Empire. . . . I do not, myself,

<sup>1</sup> E.g. G. R. Parkin, *Imperial Federation*, passim.

<sup>2</sup> At Grocers' Hall, London (August 1, 1902) : *Speeches*, C. W. Boyd, ed., vol. ii. p. 70.

fear that the growth of a distinct Canadian type of character, of a strong Canadian patriotism, is going to be a danger to the Unity of the Empire. My faith in the British Empire, which is something different from an Empire of England, or even of the United Kingdom, is stronger than that. It is not reasonable to expect that men who are not of British race, or who though originally of British race, may have become alienated from British traditions, should be Imperialists from love of Great Britain. But I think the time may come when they may be Imperialists from love of Canada. . . . The more they all care for Canada, the more ambitious they are for her, the more I believe they will appreciate the position of world-wide influence and power which is open to her as a member of the British Empire. I am not speaking of what exists to-day, I am thinking of the future.<sup>1</sup>

An ardent Scotch Imperialist, once Governor-General of Canada, voiced an identical ideal :

I believe in the man who says his home is the best of all homes, who swears by his own township, his own province, and his own country. I was myself brought up in intensely Scotch surroundings. . . . Go on making your history, let your wise men write it and your rising generation read it, but be we Canadians or Scotchmen, we form members of a clan—England, Scotland and Ireland, Canada, Australia, New Zealand, South Africa, the Indian Empire and dependencies without end—a clan owning fealty to one chief, our King, working out together the greatest history the world has ever known—the history of the British Empire.<sup>2</sup>

The present leader of the Conservative Party in Canada has thus placed himself on record :

. . . This is the British Empire, and we are Britons whether we be born in the British Isles, or in Canada, or in Australia, or in New Zealand, we are Britishers. If once we let sink into our minds that thought, that geographical boundaries do not divide us, that these traditions are our common traditions, it seems to me we have got at least to the bottom of a part of the problem, and we may approach it freely and fairly.<sup>3</sup>

Imperialists clearly realised that the era of Little-Englandism had left them a task which was yet to be performed, a project of Empire which lay in the future. Mr. Chamberlain's vision was wholly of things to be : " But the Empire is not old. The

<sup>1</sup> To the Vancouver Canadian Club (October 9, 1908), *The Nation and the Empire*, pp. 303, 306-307.

<sup>2</sup> Earl Grey at the first annual banquet of the Ottawa Canadian Club (January 18, 1908) : *Ottawa Canadian Club Speeches*, vol. i at p. 12.

<sup>3</sup> R. B. Bennett, M.P., to the Toronto Empire Club, Empire Day Banquet, 1914 : *Empire Club Speeches* (1913-14), p. 201.

Empire is new. The Empire is in its infancy. Now is the time when we can mould that Empire, and we and those who live with us can decide its future destinies." <sup>1</sup> As one of the most zealous of Canadian protagonists, Dr. Parkin, put it :

Not the creation, but the preservation of national unity, is the task which thus confronts British people, which they must accept or refuse. Unity already exists : it is the necessary starting-point of every discussion. It will prove, if need be, an incalculable assistance towards the attainment of the completer unity at which we aim. But the existing unity is crude in form, one which in its very nature is temporary and transitional.<sup>2</sup>

Sir William Peterson, Principal of McGill University, joined issue with Canadians of the Laurier school. He urged :

. . . The attitude that is most to be deprecated in regard to the whole question is, as I have already said, the complacent view that all is already for the best, that our relations with the Motherland are ideal, and that any change could not fail to be a change in the wrong direction. When I hear such things said, I know that I am in the presence of men who probably care less about Imperial unity and co-operation than they do about the separate status of the several nations of which the Empire is composed.<sup>3</sup>

If the Imperialist's concept of Imperial patriotism seemed subliminal, his genuine zeal for the achievement of Britannic equality was most open to misrepresentation and alike susceptible to ridicule. Nevertheless Imperialists were every whit as anxious to supersede Colonialism and the hierarchical relationship it implied as were the Nationalists. In fact in the earlier days it was they who were conspicuous in denouncing the anomalous status of the Dominions and their exclusion from participation in the determination of their own destinies. Whereas the Colonialist stands for the paramountcy of the United Kingdom, the Imperialist insists on the equality of status of all the component parts of the Empire ; each must bear due weight in the counsels of the nation which is to be. Almost at the inception of their movement, Sir Charles Lucas pointed out that :

The advocates of Imperial federation have the great advantage of starting with a recognition of the facts as regards one part at any rate

<sup>1</sup> At Birmingham (May 15, 1903) : *op. cit.*, vol. ii. p. 129.

<sup>2</sup> *Imperial Federation*, pp. 14-15.

<sup>3</sup> To the Canadian Club, Winnipeg (January 11, 1908) : *Canadian Essays and Addresses*, p. 72.

of the British Empire. They recognise that the self-governing Colonies are not dependents but equals, and they wish to bring about a system of federation which is based upon and implies equality.<sup>1</sup>

Mr. Chamberlain insisted upon this as strongly as any Nationalist. As he put it :

We use these words which have come down to us from the past. We speak of the British Empire—we speak of the British Colonies. Neither the one nor the other term adequately represents the modern situation. The British Empire is not an empire in the sense in which the term has been applied to any empire which has gone before. The British Colonies are no longer colonies in the sense in which the term was originally applied to them. What are we all ? We are sister states in which the Mother Country by virtue of her age, by virtue of all that she has done in the past, may claim to be the first, but only first among equals. Now the question is, how are we to bring together these states which have voluntarily accepted one Crown and one flag, and which in all else are absolutely independent one of the other ?<sup>2</sup>

In presenting his scheme for Imperial federation to the 1911 Conference, Sir Joseph Ward took his stand squarely on this issue of Dominion rights. He maintained :

They create with her an Empire, and, allowing for power and numbers, they belong to that Empire just as she does. It is a family group of free nations, England is the first among the free nations, and, consequently, changes during the last three-quarters of a century, in my opinion, demand that the old relation of "mother to infants" should cease. The day for partnership in true Imperial affairs has arrived, and the question which now emerges is, upon what basis is that partnership to rest ? It certainly cannot rest upon the present relationship.<sup>3</sup>

Some would see in this talk of Britannic equality in its connection with Imperial federation a thinly veiled Colonialism, which relies on the preponderance of representation which the United Kingdom would have in any central parliament to make co-partnership illusory. Thus Mr. Ewart argues :

To my mind few things are more remarkable than the persistence of the notion (in spite of all experience to the contrary) that Colonies must be governed and controlled, or they will cease to be of any use. The history of the growth of Colonies is very largely the history of their struggles to be free, the history of a determination on the other side

<sup>1</sup> Introduction to Lewis' *Essay on the Government of Dependencies* (1891), p. lxiv.

<sup>2</sup> At Birmingham (June 27, 1905) ; *op. cit.* vol. ii. p. 328.

<sup>3</sup> Cd. 5745, p. 48.

to retain supremacy. And now that some of the British Colonies have reached their majority and are almost entirely self-controlled, the old idea is revived, in the more alluring form of a partnership or federation in which the United Kingdom would be the predominant partner, and to which the Colonies would give up a part of that self-government which with such difficulty they at last succeeded in securing.<sup>1</sup>

True, many Colonialists have adhered to the Imperialists' programme as a lesser evil than disintegration, but they can be recognised by their tone, and Imperialists seem genuinely willing to welcome any governmental device which would tend to lessen this discrepancy, and eagerly to hope for the time when the growth of the Dominions would remove it. Their desire for Britannic equality all round is sincere. This statement holds true, also, of their attitude to India and the Crown Colonies, and their wish for the earliest practicable grant of Dominion status. Imperialists, like their opponents, had not the slightest intention of swamping white electorates with coloured majorities. Nevertheless their colonial policy implied the grant to the "backward races" of a degree of self-government greater than that afforded by any other contemporary colonial Power, and progressing to an ultimate objective not provided for in any other imperial system. Imperialism does not differ from Colonialism in an unwillingness to "take up the white man's burden," but in a greater readiness to earn relief from it.<sup>2</sup>

New York and Delaware are equal in status in the American Union. The "Empire State" is to Massachusetts and Connecticut, let us say, as Great Britain is to Canada and New Zealand respectively; such would be more or less the relationship in an Imperial federal union. That is the type of equality

<sup>1</sup> *The Kingdom of Canada*, p. 148. The following extract from the 1907 Imperial Conference *Proceedings* illustrates the almost captious regard of the members for the embodiment of their several concepts in the text of their resolutions:

Mr. HALDANE: "For the service of the Empire."

Mr. DEAKIN: That is better ". . . for the service of the Empire a General Staff recruited," and so on.

Sir F. BORDEN: I would say "for the service of the various Dominions."

Mr. HALDANE: "For the service of the various Governments of the Empire."

Dr. JAMESON: Why not "the Empire" by itself?

Mr. F. R. MOOR: I think it would be better if instead of "that this Conference without wishing to commit to immediate action" we said "that this Conference without committing any of the Governments to immediate action."—Cd. 3523, p. 118.

<sup>2</sup> *E.g.* discussions of Empire race problems in *The Round Table*, *passim*.

contemplated by the Imperialists, save that in the case of the Empire discrepancies between the population, wealth and political strength of the Mother Country and the Dominions would progressively lessen to an extent never possible in the United States. Nor could the Nationalist programme do anything to alter or accelerate this process, or to remove the basic factors upon which these discrepancies rest. The difference between the Nationalist and Imperialist viewpoints, then, was not that the one stood for equality and the other for Dominion subordination, but in the setting in which Britannic equality was to operate. It lay in the presumed but much exaggerated antithesis between *independence* (with or without voluntary co-operation) and recognised *interdependence*. The equality contemplated by the Nationalists could only be achieved by the entire removal of both the formal and actual dominance of the old Imperial Government, leaving nothing in its place; that sought by Imperialists involved in addition the creation of machinery for caring for such matters, and only such, as were the common concerns of all the British Nations. The controversy turns out to be not one over equality at all, but one as to the scale upon which political organisation, upon which national integration and the extension of national feeling which it implies, should be attempted. As Dr. Parkin argued:

For the Motherland an organised national unity means, not degradation from her Imperial position, but a frank acceptance of the facts of national growth, and the greater dignity which would come from acknowledged leadership of the free communities which have grown up around her. . . . For the Colonies national unity means independence: not "virtual" independence, as their present ill-defined condition is sometimes spoken of, but the manly and sufficient independence which comes from asserted rights and assumed responsibilities.<sup>1</sup>

Finally, the Imperialist strongly believes that the British type of civilisation has contributed vastly to the betterment of mankind, that the whole world will benefit from its coherent maintenance and development throughout the Empire, and suffer from the heterogeneity which would follow British disintegration. The newer parts of the Empire profit from close contact with the

<sup>1</sup> *Op. cit.* pp. 27-28. The date of this admirable presentation of the Imperialist case (1892) proves that "Britannic equality" was in no sense an eleventh-hour concession upon their part.

old, and the older is refreshed and broadened by the influence of the new. A broad Imperial culture is the readiest guide from the caves of provincialism into the bright sunshine of international good will. To illustrate this aspect of their creed we cannot do better than quote a further passage from the notable speech of the present Leader of the Opposition in Canada already cited :

If we are students of history, if we believe the British Empire is no accident, if we believe under the Providence of God we are given freedom, justice, equality, laws well enforced, a proper conception of law and discipline, and all these things that go to make a people great, we have developed character, without which there can be no people, we have given men ideals, without which there can be no state ; if we have done these things, how can we talk of an independent Canada ? An independent Canada means this, that we Canadians are afraid of responsibility and obligation of power, afraid to accept the responsibilities of our race and breed, afraid to think we are Britons, afraid to face the future in the eye. Since when was that the passport to citizenship ? Since when was it the *sine qua non* of Canadian citizenship ? My friends, it must not be, it cannot be. You and I in the fulness of our stature, with a realisation and acceptance of our full responsibilities must be prepared to give our lives, our minds, our brains, all we have, to the development of that thought, that in unity there is strength, and that the strength of this great Empire is the world's preservation, the preservation of our civilisation, the preservation of our Christianity. My friends, if you believe in these things, you believe that with the future of our race, the future of our country lies in the continued development of those high ideals, those lofty aspirations, those thoughts not of rewards nor honours but those thoughts that life spells service, that service means work, and that the greatest reward that can come to men or women in this world of ours is that when we go down the western side of life, and lay down the burden, we can look back upon work well done. If we can do that, I am content. Let us develop a spirit of *Imperial consciousness*. That is the only hope, it seems to me, Imperial consciousness. What shall it profit a man if he gain the whole world and lose his own soul ? This is a material age ; what shall it profit Canada if they all be millionaires, if they have the riches of the Orient, what matters it, if we lose character, if we lose ambition, if we lose aspiration, if we lose lofty ideals ? If we lose these things then we shall have lived in vain, but Imperial consciousness, a sense of our obligation to posterity, regard for the past, a lively hope for the future, let us have these, then we shall have discharged our duties, and we shall not have lived in vain.<sup>1</sup>

<sup>1</sup> Toronto Empire Club Speeches (1913-14), pp. 204-205.



The weakness of Imperialism lies in its very comprehensiveness of outlook. Although it offers what is theoretically the most desirable solution for the Britannic Question, and is eminently practical in its emphasis upon the international bearings of the problem, yet it demands a breadth of view which has thus far proved impossible of general achievement. Just as nationalistic education produces patriotism in our school children, and centring upon the history, politics, resources and economic and social problems of Canada develops Canadian national feeling, so enlarging the field of interest in these matters to include the whole Empire normally produces an Imperial point of view, instead of the narrower antecedent outlook. The Imperialists' vision is a most alluring one, and barring rigid preconceptions, one is very apt to fall under its spell before he has spent very long in studying as a whole the problems of Greater Britain. Thus the ranks of the Imperialists are mainly filled by men whose occupations have either afforded them the leisure for, or forced them into a sphere of interest wider than any of the constituent parts of the Empire—statesmen, publicists, university professors, travellers, colonial administrators of varied experience, or business men whose industrial or commercial transactions are so extensive as to impress upon them the need of Empire unity.

But few have this opportunity, or that freedom from local economic entanglements necessary to the adoption of Imperialism as a political programme. Herein, as has been seen, has chiefly lain that incompatibility of major interest which has so divided participants in Imperial controversies. When an issue arises, the mental habits of the Imperialist impel him to consider the Imperial implications first. He cannot visualise the welfare of the several parts save in relation to the whole. The Nationalist, on the other hand, sees merely a group of separate nations (one of which, England, insists on calling its interests "Imperial") and shrugs his shoulders when the concerns of others than his own are mentioned. How then can he be roused to interest in, let alone enthusiasm for, the Britannic Question? Many Nationalists apparently cannot even see that such a question exists. The chief opposition has come on the whole from the leaders of national minorities, French-Canadian and Dutch, which feared submergence. Furthermore, the interests and contacts of the ordinary citizen, even of British origin, immersed

in his local business affairs, are too narrow to allow Imperial patriotism to descend from the purely ideal plane, as far as he is concerned. It is of paramount significance, in the third place, that the dominant economic interests which inspire public policies are highly localised within the Empire. This has made for Nationalism. The manufacturers of the United Kingdom and Canada are rivals ; Canadian grain-growers and Australian sheep-farmers have little in common. These interests have operated as centrifugal forces, not centripetally as did the groups comprising the Federalists in the early days of the American Republic.

The mode in which this Empire-wide outlook originates and develops is the explanation at once of the preponderance which the Imperialists have had over the Nationalists in the literature of the Britannic Question, of the type of strategy they adopted, and of the marked discrepancy between policies advocated and policies actually achieved in this field. It determined Imperialist methods in advancing their cause. Instead of relying primarily upon carefully reasoned argument, they stressed the more sentimental aspects of Imperial relationships, and deprecated cut-and-dried constitutional pronouncements. They seemed to aim rather at creating a general atmosphere of good will, rousing interest in the wider subject, and developing a habit of mind which considers the Empire as a unit and the problems of any specific part of it closely knit with those of the greater whole. This same fact, also, accounts for that doctrinaire, academic attitude which has detracted so much from the effectiveness of many Imperialist pleas. While they made speeches, wrote books and held what would be termed in America " pep rallies," the Nationalists were in the main absorbed in their daily business and the domestic problems of their own countries, and when an Imperial question arose they said little, being diffident about forcing unpleasant issues, laying themselves open to misunderstanding, or being compelled to plunge in further than they cared to go, but they *did* have not ineffective interviews with their own cabinet ministers. Hence one would have erred in weighing the relative influence of various schools of thought by the quantity of literature supporting each, or paying too much attention to the perennial complaint that obstacles to Imperialism lay mainly in the attitude of the parties. Perchance the politicians " with their ears to the ground " most accurately represented the attitude of their constituents.

*The Roots of the Constitutional Controversy.*

The central fact which, throughout the Britannic controversy prior to the War, governed the reactions of all participants was the legal unity of the Empire. The awareness of foreign Powers that the Empire could not be in part at peace and in part at war at one and the same time has had its reflex upon statesmen both at home and in the Dominions and they have ordered their policies accordingly. Thus legal unity has promoted political interdependence in relation to world issues. How often has it not been said that the foreign policy of Britain is a colonial policy? How frequently have not the Dominions accommodated their actions to the best ally they were ever likely to possess? This realisation has proved a bond of mutual interest far stronger than mere sentiment to maintain cohesion and mitigate the intransigence of all but the extreme Nationalists everywhere, even in Canada where the validity of the argument could most plausibly be questioned. Many have regarded this relationship as a liability pure and simple, but they have not denied its significance. Not even his most radical associates questioned Sir Wilfrid Laurier's repeated assertion that "when Great Britain is at war Canada is at war and liable to attack." But with the recognition that this was a heritage of the Colonial era and a factor to be reckoned with, Imperialists and Nationalists parted company and reasoned therefrom on incompatible lines. In fact the Nationalist stand in relation to defence and foreign affairs constituted a repudiation of every major Imperialist contention in these matters, and sought the solution purely in negation of liabilities. They never progressed beyond the colonial theories of the American revolutionists—yet within less than a decade of attaining their liberty, the Thirteen Colonies had fallen under the sway of a central government far more rigorous and effective than that of London had ever proved!

The most obvious feature of the whole Britannic controversy has been the clash of divergent theories of constitutional relationships. But, as in the case of the American Civil War, constitutional controversy has been no more than the reflection, the mere rhetoric of dominant motives and prepotent underlying forces. Underneath the conflict between Imperialists and Nationalists regarding defence and foreign affairs have lain wholly

incompatible views of world politics. This contrast has revealed itself most prominently, in the first place, in a patently sincere difference in their views as to the extent of the need against which defence preparation must be made. To the Imperialists the German menace was ever very real.<sup>1</sup> They continually had over them the incubus, if not of a world conflict, at least of a major struggle between Great Powers, in which the fate of the Empire itself would be at stake and the fortunes of the Dominions inextricably involved with those of the Mother Country. To them the drawing by the Nationalists of constitutional "red-herrings" across their discussions of the impending crisis seemed merely suicidal.

The Nationalists, in contrast, pooh-pooed any such prospect, and met reprobation of their indifference with the rejoinder that no danger existed, that a world war was unthinkable. They insisted on discussing the problem as if an indefinite period of general tranquillity lay ahead, future disputes would be localised with no vital Dominion interests at stake, and their responsibility limited to the mere sending at will of a minor expeditionary force. To the very outbreak of the recent catastrophe they argued in terms of the South African situation. Only on the basis of such an assumption regarding the international outlook can we account for the fact that throughout the controversy prior to the War, while Imperialists stressed defence measures and general liability, the Nationalists discoursed upon diversity within the Empire and the virtues of local autonomy and merely disregarded the others' apprehensions. They ignored rather than denied the interdependence of the Empire in relation to foreign Powers, and concentrated their attention upon the discussion of its internal constitutional problems. The two groups were equally pre-occupied with a menace, but while the one sought to forearm the Empire against external assault, the other professed to see only internal danger, and that from the centralisers. Hardly ever, in fact, did the two sides argue upon common ground.

In the second place, while Imperialists consistently succeeded in viewing world politics as what the name implies, the Nationalists, besides being impressed solely by their more repre-

<sup>1</sup> Of course great care was exercised by public men to avoid being provocative in their language or specific in their references to foreign Powers; there was, however, a greater willingness to refer to Germany by name in local addresses, in the Dominions, *e.g.* to Canadian Clubs.

hensible features, uniformly insisted on regarding them as the peculiar affliction of Europe. Hence their views were fundamentally at variance concerning the effects of the Imperial connection. The former held that the Mother Country was as liable to become embroiled with foreign Powers over some matter of distinctly Dominion interest—say an Alaskan Boundary Dispute or the “White Australia” policy—as the Dominions were to suffer through some concern of hers. The complete interdependence of the several parts of the Empire, their absolute helplessness acting separately, was foremost in their thinking. To them the conduct of foreign affairs and defence obviously must be co-operative undertakings, for not merely strength but their very existence depended upon unity in these respects. The whole basis of the Nationalist argument, in contrast, was the contention that whatever might be concocted in Europe need not concern them were it not for the power of the Mother Country to drag them in her train, that perils and obligations for the Dominions in relation to world politics could arise only from their Imperial entanglements, and hence that the way to safety lay in escape from these. Paradoxically it would seem, just as the Little-Englanders had deprecated colonial possessions for the foreign embroilments they entailed, so their counterpart in the Dominions denounced the connection with the Homeland for the same reason.

This contrast is perhaps best illustrated by the conflicting views in Canada regarding their connection with Anglo-American relations. A section of Canadian opinion insists that all their difficulties with the United States have been the result not of their own but of British quarrels with the Republic, and that accordingly the severance of the Imperial connection would remove the sole possible source of differences in the future. Mr. Ewart, for instance, argues :

Attack by the United States is possible. We have several times suffered from it. But always because of our connection with the United Kingdom. And never because of a quarrel of our own. By independence we should eliminate the class of possibilities which hitherto has alone bred attack. And the risk of attack in respect of our own possible quarrels is negligible. In any case we could not count upon British assistance ; for, with the British government, cordial relations with the United States is a religion.<sup>1</sup>

<sup>1</sup> *The Kingdom Papers*, No. 10, vol. i. p. 331.

In another typical pronouncement he asserts :

I have been asked over and over again for the name, not of a ship, or of a regiment, but of a single British soldier who ever fought—I don't say died or bled—in a Canadian quarrel. There never was such a soldier. On the other hand Canada has fought two foolish wars with the United States on British account. . . . Twice only has the British Navy taken part in quarrels on our shores. On both occasions it took the side of our opponents—once the United States, and the other time France. It is impossible to say whether, on the next occasion, we shall be any more fortunate.<sup>1</sup>

Others—supported, as it happens, by the weight of American historical opinion—affirm exactly the opposite view, that the basic cause of almost all Anglo-American friction has been Canada. These two interpretations of history have led to diametrically opposed estimates of the benefits which “British protection” has afforded the Dominion, and the bearing of continued membership in the Commonwealth upon future relations with her neighbour. This specific question is one for the historians to settle—and they are doing so. It is only one element, of course, in the determination of the wider issue of the interdependence of the Commonwealth, yet it is significant that so much of the controversy has turned upon the validity of conflicting estimates of past relations, of a mere reading of history.

Their professed analysis of the international scene was doubtless motivated in no small degree by the effort to justify Nationalist policies. In fact, it constituted perhaps their chief argument. Nevertheless, it is probable that the converse is more generally true, that the Nationalist philosophy of world politics was the prime inspiration of their policies. Little-Englandism was pacifically inclined. When it was transplanted overseas and became the core of Nationalist thought, antipathy to economic imperialism, militarism and most of the features which have characterised the rivalry of the Great Powers dominated the latter outlook. There has certainly been a strong pacifist ingredient in the Nationalist attitude. The position of organised agriculture in Western Canada throughout the naval controversy, for instance, was non-participationist. One would expect that

<sup>1</sup> Quoted in *Canadian Annual Review* (1909), pp. 160-161; see also *Kingdom Papers*, No. 12. Of course, the obvious reply to the above claim is that well before the dying and bleeding stage had been reached, Canadian quarrels had become British ones as well, so that although the statement is technically accurate, the implication is apt to be misleading. See *infra*, ch. xi., for further discussion of this question.

geographical isolation, and perhaps also the influence of recent American immigration, would render them lukewarm toward Imperialist defence proposals. But they went further. The annual convention of the Manitoba Grain Growers' Association (January 1913) resolved: "That this convention, representing ten thousand farmers of Manitoba places itself on record as firmly opposed to any expenditure whatever of public money for the construction of naval armaments."<sup>1</sup> Christopher West's "Canada and Sea Power" (1913), a markedly pacifist discussion of the Canadian naval question, was favourably reviewed in "Grain Growers' Guide," the organ of the farmers of the three mid-western provinces, and evoked considerable editorial comment in the same journal. The editorial policy of this publication, also, was strongly pacifist up to the very outbreak of hostilities.<sup>2</sup> The philosophy of Organised Labour generally in this regard is too well known to need comment, and that of Labour in Canada has been in keeping with it.<sup>3</sup> In the other Dominions, especially Australia and New Zealand, where Labour has been a more distinct and powerful political force, its affiliation with Nationalist policies has been still more significant.

The alliance of anti-Militarism and Nationalism was natural and inevitable. There was the common opposition to Imperialist defence projects. There was the added appeal available in the Nationalist argument. Christopher West, for example, asks why, because the Mother Country has become besotted with imperialism the Daughter need follow in her footsteps, and urges Canada to stop the growth of armaments by an absolute embargo on the export of nickel, of which she produces four-fifths of the world's supply.<sup>4</sup> Isolation, peace and security, a narrowing of the contentious area within which public issues could originate, these meant an absence of expense and worry to the average citizen, and have been potent incentives in the development of Dominion national feeling. It is natural that many an inhabitant of the Outer Empire should hope to make of his country a haven of refuge from the turmoil and dangers of world politics.<sup>5</sup> Europe

<sup>1</sup> *Grain Growers' Guide* (1913), p. 329.

<sup>2</sup> See, specifically, the issue of August 5, 1914; contrast that of August 12.

<sup>3</sup> See *Labour Gazette* (Canada), *passim*, during this period.

<sup>4</sup> *Op. cit.* pp. 63, 68-69.

<sup>5</sup> See *Canadian Annual Review* (1909), pp. 108-112, for résumé of pacifist opinion during the naval issue; compare that at the outbreak of the war, *op. cit.* (1914), pp. 132-138. Compare this apostrophe from a private member

was still the centre of wars and rumours of wars and Great Britain was immersed therein. Japan was hardly as yet a factor ; the proposition that the United States might become the principal figure in international relations and that the interests of at least four Dominions would become vitally concerned with this aspect of the shifting scene would at that time have been ludicrous. If the character of world politics itself could not be changed, at least Dominion aloofness therefrom might be fostered, perhaps even the consequences thereof to an extent be evaded, by emphasis upon the distinctness of Dominion interests from those of Europe, even from those of the Mother Country herself.

Sir Wilfrid Laurier was himself a leading exponent of this argument of separateness from sinners. His antipathy to militarism and his determination to save Canada from it if possible, even at the expense of assuming a highly ambiguous position, was perhaps the outstanding feature of his pronouncements alike during the South African debates and the naval controversy. For her he visualized a happier future. For instance in a statement to the House (March 27, 1907) as to the stand which he proposed to take upon this issue at the Conference which he was about to attend, he said :

I must adhere to the views I expressed five years ago, that for no consideration would Canada be induced to be drawn into the vortex of European militarism. 'The conditions which prevail to-day in Europe are deplorable to a degree. The condition which prevails in Europe is an armed peace, almost as intolerable as war itself. This cannot last forever ; it seems to me the date is not far distant when these nations, the wisest, the most advanced, the most civilised in the world, will recognise the folly that has been carried on for centuries and will come back to a more humane system such as we have on this continent. Therefore upon this point the attitude which we intend to maintain is exactly the same as that which we took in 1902.<sup>1</sup>

In the course of a very significant speech to the Canadian Manufacturers' Association at their annual banquet in the autumn of

during the naval debate : " The nations of the world now in a turmoil are waiting for a message from somewhere, from anywhere, and who is more fitted to give them that message than the people of Canada, Canada alone without bloodshed, Canada at peace with the whole world ? Oh Canada, God's child among the nations, speak to the nations of the world of peace, sound the glad note and it shall echo from throne to throne, from sea to sea, from river to river, to the ends of the earth, and it will be the opening of the door and the ushering in of the day of peace on earth and good will to men." (Quoted in *Round Table*, vol. iii. p. 642.)

<sup>1</sup> Canada, *House of Commons Debates*, session 1906-07, col. 5539.



the same year, he summed up his attitude in relation to world politics and Imperial commitments. Following a characteristic Imperialist appeal by the preceding speaker, he urged :

We live on a continent where we never think of war. We live on a continent where we have no standing armies ; we are satisfied either on one side of the line or the other to depend for our defence upon a citizen militia. In time of need the blood and the treasure of every Canadian would be at the command of the King, but in time of peace I claim we should follow our own conditions, and not be drawn into the vortex of European militarism.<sup>1</sup>

From this standpoint it becomes obvious why Nationalism, especially of the more extreme non-participationist variety, should have its greatest vogue in Canada and at a later day in South Africa. In the Pacific Dominions their helplessness was admitted generally. Nationalist manifestations as regards defence in Australia, in fact, were due to apprehension that the centralised plan failed to assure adequate local protection, not to any belief that outside support was unnecessary.<sup>2</sup> As for Canada, on the basis of the dual assumption of ample protection from the Monroe Doctrine and the perduring friendliness of the United States, the situation of that Dominion seemed of all countries least precarious. During one of his pronouncements on the South African War Mr. Bourassa stated this argument in a nutshell :

I need not say how different our position is from the position of New Zealand, and the other Australian colonies. First, these colonies have never been involved in any wars, whilst Canada has been involved, through bad British policy, in two expensive wars with the United States. Second, the Australian colonies may be easily attacked by various European countries, whilst outside of the United States we cannot be attacked, and I think the navy of England would be a far smaller protection for us than it would be for Australia.<sup>3</sup>

<sup>1</sup> *Industrial Canada*, vol. viii. p. 271.

<sup>2</sup> True, during the debate on the Near East crisis of 1922 Senator Gardiner (Australia) maintained that the Imperial connection meant inevitable commitment to war, which was practically the everyday business of Great Britain, and that for them to become a republic would be cheaper : " Much cheaper, because then we would develop as the United States developed. We should be left to our own resources. We should be obliged to defend ourselves, and we would cultivate the spirit of independence that is so necessary for the progress of every nation " (*Journal of the Parliaments of the Empire*, vol. iv. pp. 102-103). Although such an attitude was characteristic of Canadian ultra-Nationalism, it is significant that expressions of it in the Antipodes not only emerged so late in the controversy, but also appear to have been uniformly met with prompt and vigorous denunciation.

<sup>3</sup> Canada, *House of Commons Debates*, session 1900, cols. 181-182 (March 13, 1900).

It cannot be too strongly emphasised that the root of Nationalist doctrine in Canada is the influence of proximity to the Republic, and that the whole foundation thereof is based upon these assumptions. In formulating his policies also, it is natural that the Non-participationist should have borrowed much from American theories of "no entangling alliances" and absence of common interests between Europe and America. Nationalist defence measures and attitudes towards external relations were essentially a compromise between the demands of these more extreme elements and those of the Imperialists.

Colonialist, Imperialist, Nationalist—these are the three divergent points of view from which the issues comprising the Britannic Question have been faced by participants in the controversy. In the practical world of politics, it is true, they do not differentiate themselves with the same clarity that the young teacher of philosophy discovers in the schools of thought which he expounds. Moreover as public men do not live by principles alone, nor seek to convince by a rigid logical consistency, the distinctions which have been outlined regarding attitudes towards Imperial problems frequently appear confused and merged. Nevertheless policies are founded upon some basic assumption or other, some major interest, and such points of departure must be comprehended if the language spoken is to be understood. And so it is with the analysis of arguments upon Imperial issues. Each of these conflicting viewpoints, furthermore, if carried to its logical conclusion, would result in a different solution for the Britannic Question. One would have perpetuated the rule of "Mr. Mother Country"; another would have consolidated the Empire in one integrated federal system like that of the United States, though with a central government of much more narrowly restricted powers. The third, which has prevailed, has made of the Empire a Confederacy, the "British Commonwealth of Nations."

If the underlying conflict between Imperialist and Nationalist theories of world politics be held in mind, the effects of the War upon these viewpoints and the evolution which they have subsequently undergone may perhaps be more easily understood. At the present time Colonialism as a political programme is dead. Yet many of its characteristics perdure, especially as ingredients of left-wing Nationalism, and the familiar spectre

itself still reappears sporadically here and there, usually to confuse the issue under some name other than its own. If to be denounced it is called Imperialism ; if to be vindicated, Nationalism. Although many old-line Imperialists still remain, Imperialism as such has now markedly though not fundamentally altered its content, and is ardently autonomist, yet as ardently co-operationist. Nationalism has always been more vociferously anti-Colonialist though probably with less justification, for careful analysis reveals it more tainted with the older doctrine, at least in its deeper implications. Its present tendency implies a negation of co-operation, justified in the name of autonomy.

The issue at present, therefore, is Imperial co-operation, and the alignment is between the active Co-operationists on the one hand and the non-Co-operationists on the other. The former comprise Imperialists who have accepted, *faute de mieux*, the confederate basis of relationships, and the more moderate Nationalists who, satisfied Colonialist days are over, will for their country an ample place in world affairs. Both believe that within the Commonwealth alone their brightest future lies. They hold as strongly as ever to their conviction that the British nations can assure their safety and achieve their highest destiny only through close and effective partnership in world affairs. They affirm that international relations are the active concern of all nations, that none can live to itself alone. The more radical Nationalists, in contrast, who before the War were preoccupied with minimising Imperial obligations (and have been highly successful in their aim) are still circumscribed by the forms of constitutional organisation, and wedded to an isolationist policy in foreign affairs. They have now carried their attitude into the international field and become undeviating opponents of all external commitments whether offered through the Commonwealth or otherwise. This is the real ground for their suspicion of all overtures toward co-operative activity on the part of the British nations. Alone, they argue, they are safe ; external obligations can bring only responsibility and danger. As ever the basic difference between these viewpoints is essentially that between positive and negative attitudes towards world politics, hence there is far more of rhetoric than of actual motive in the constitutional controversy.

Issues of Imperial policy have never constituted the real

basis of clear-cut party distinctions among the various governments of the Empire and seldom the outstanding characteristic of any party. Yet these questions have so related themselves to alignments upon other grounds that recognisable differences have appeared in the policies of the parties towards them. There has been marked divergence in the conduct of various Governments while in office, and sufficient distinction between the two sides of the several Houses, to render the advent to power of certain Oppositions a matter of grave concern to Imperialists. It was, for instance, a consideration of first-rate importance that, during the eventful negotiations at Paris, in the Imperial Conference of 1921, and at Washington, the supporters of Lloyd George, Borden, Hughes, Smuts and Massey alike represented the newer Imperialism which the War had placed in the ascendant. These were the Co-operationists. On the other hand there is a considerable affinity in their reaction to Imperial issues among the Labour parties in Australia and New Zealand, the Liberals and Progressives in Canada, and the Nationalists in South Africa. They are more Nationalistic. The episodes to be discussed in succeeding chapters are essentially illustrations of the working out of these conflicting points of view.

### *Imperialist Aims and Britannic Issues.*

Should one pause to contemplate it, the United Empire which the Imperialist visualised offers as inspiring a spectacle as the idealist patriot of any age or country could hope to fashion :

No longer have we to read the annals of a kingdom—it is the history of an Empire with which we have to deal. Our work, the work of this generation, is to lay broad and deep the foundations upon which shall be built the edifice of our future greatness ; and may we not say with our own Milton, “ Methinks I see a noble and puissant nation rousing herself like a strong man after sleep, and shaking her invincible locks ; methinks I see her like an eagle mewing her mighty youth and kindling her undazzled eyes at the full midday beam.” That is a promise which is open to us, a promise which alone and separate we cannot achieve, but a promise of which nothing can deprive us if we are only true to ourselves and the high destiny which is placed within the reach of a noble ambition.<sup>1</sup>

<sup>1</sup> Joseph Chamberlain at Grocers' Hall, London (August 1, 1902) : *Speeches, op. cit.* vol. ii. p. 73.

For those of more grandiose aspiration there was the thought that such an Empire would be the mightiest of all time and surely impregnable :

'The Empire of Britain would then truly be an " Empire on which the sun never sets," and an Empire vast and powerful such as the sun never shone on before. Boundless resources would be contained within herself, every conceivable want could be supplied from her own territory, while at the same time she would have at her call armies so vast that the whole world would stand in awe of the might of England. For such results as these would it not be desirable to carry out a federation of the Empire ? <sup>1</sup>

Let it be said of Imperialists almost without exception, however—if not of Colonialists—that this was not the aspect upon which their minds were wont to dwell. Imperialism in the first place aimed at the consolidation, not the expansion, of the Empire. It is by no means identical with the economic imperialism so familiar in contemporary parlance, however much interest Imperialists or other Britishers might have in the latter as well :

. . . Our object is not domination or aggrandisement. It is consolidation and security. We envy and antagonise no other nation. But we wish the kindred peoples under the British flag to remain one united family for ever. And we believe that it is only by such union that they can attain their highest individual development, and exercise a decisive influence for peace, and for the maintenance of that type of civilisation which they all have in common, in the future history of the human race.<sup>2</sup>

The following statement of Imperialist belief and motives, though it may cause some foreigners to smile, will be recognised as thoroughly characteristic of their outlook, and moreover as absolutely sincere :

If we really have faith in our own social and Christian progress as a nation ; if we believe that our race, on the whole, and in spite of many failures, can be trusted better than others to use power with moderation, self-restraint, and a deep sense of moral responsibility ; if we believe that the wide area of our possessions may be made a solid factor in the world's politics, which will always throw the weight of its influence on the side of a righteous peace, then it cannot be inconsistent with devotion to all the highest interests of humanity to wish and strive for a consolidation of British power.<sup>3</sup>

<sup>1</sup> G. C. Cunningham, *A Scheme for Imperial Federation*, pp. 30-31.

<sup>2</sup> Viscount Milner, "The Imperialist Creed" (Manchester, December 14, 1906) : *The Nation and the Empire*, at p. 152.

<sup>3</sup> G. R. Parkin, *op. cit.* p. 48.

They aspired to unity because they honestly believed that by that road only could the goal of "peace, retrenchment and reform" be ultimately reached. Not merely would Imperial unity alone assure the strength and security requisite for the full working out of their potential contribution to civilisation; the immeasurable added stimulus coming from unity combined with diversity would render that contribution far greater than the mere aggregate achievement of several British nations working separately could ever be. Furthermore unity implied opportunity for effecting economies of resources and effort in every direction, which were well worth pondering. How much duplication and waste, what added burdens, would action on the basis of several small national establishments imply :

. . . In all countries no small portion of these are such as are imposed by the needs of national organisation—burdens which no country has ever yet escaped, or ever will. In national unity we may have all the advantages and resources of co-operation utilised to this end on a vast scale; one diplomatic and consular service; one fleet instead of several; ports and docks defended at the common expense for the good of all. Under any well-considered scheme it is certain, so far as defence is concerned, that all parts of the Empire would secure a maximum of protection at a minimum of cost, and the same would hold good in regard to other forms of necessary national expense. A nation economising expenditure in these directions could enlarge it for objects which tended to the common good and brought advantages within the reach of the masses, cheap postage, cheap telegraphy, cheap transit of every kind. Combinations undertaken for ends such as these could have no savour of an aggressive Imperialism.<sup>1</sup>

In contrast, how far short of this ideal, how portentous was the view which the actual facts of the situation presented. The Imperialists' task seemed all ahead of them. As a prominent exponent in Montreal stated it :

Perhaps the most striking feature of the British Empire is the fact that it does not exist. It is as true for us as it was for Adam Smith more than a century ago that "this Empire has hitherto existed in imagination only. It has hitherto been, not an Empire, but the project of an Empire."<sup>2</sup>

They had before them a unique aggregation of communities, one in their status in public law, virtually one in traditions, sentiment

<sup>1</sup> G. R. Parkin, *op. cit.* pp. 44-45.

<sup>2</sup> Warwick Chapman, in *The University Magazine* (October 1911), p. 390.

and ideals, jointly and severally responsible for their actions and anxious to co-operate, yet each in the meantime free to go its own way regardless of the rest, and while having adequate governmental organisation for carrying out its own policies, nevertheless without that central machinery for continuous consultation which would permit of the desired co-operation, allow co-ordination of these separate policies, and make possible the avoidance of acts by individual members which might jeopardize the domestic tranquillity or the foreign relations of the whole family. This unprecedented state of affairs had been the outcome of a century of economic and constitutional development ; the trend of events during the last generation had seemed to be towards greater complication rather than clarification of the situation. The emergence of the existing difficulties, and worse, was all along anticipated by the Imperialists ; their programme of unification furnished the most complete and logical, and (they hoped) the most practicable and permanent solution for the whole problem, so what was more natural than their coming forth with it before disintegration had progressed beyond possibility of remedy ?

Viewing as he did the whole Empire as his nation, it was natural that the Imperialist should aim to equip that Empire with all the requisites of the modern, self-sufficient national state. This is what precipitated the Britannic Question as we have known it. Public issues are not a product of spontaneous generation ; back of each lies the dynamic element which created it, the moving forces which mould political action. Although of recent years the initiative has largely passed to the Nationalists, it was due to the efforts of Imperialists to realise the various aspects of their ideal that the several issues comprising the Britannic Question entered the arena of practical politics. First among national requisites is an integrated political system for the whole area, the possession of adequate state organisation. So, too, a United Empire, as the Imperialist saw it, must have one superior government, fully representative, and empowered both to make and to see to the execution of decisions upon all essential matters of Imperial concern :

In theoretic vision, indeed, one can imagine the completed palace. One can imagine a system under which the great federal states of the Empire, the United Kingdom, Canada, Australia, Africa, each with its

minor planetary legislatures such as England, Ireland, Quebec, Cape Colony, New South Wales—should find a common centre in a single Imperial Parliament standing distinct from and equally above them all, composed of representatives elected by every part of the Empire, and having for its sphere of action all foreign and commercial policy, the supreme direction of military and naval defence, communication of all kinds between different parts of the Empire, copyright, patents, currency, and so forth. There would then be a vast symmetrical Empire bound together by free consent, and resting throughout upon the principle of representative government, having legislative and administrative organs for transacting respectively local or municipal affairs, those of the minor state or province, those of each federation, and finally those of the Empire as a whole. There would neither be confusion of parts nor division of supreme unity.<sup>1</sup>

The maximum degree of integration for which it seemed practicable to argue was the decentralised federal form, but to most Imperialists such a federation was the very foundation of their edifice, the prerequisite to the achievement of those other measures of unification to which they aspired. Their efforts to bring about this constitutional reorganisation raised the issue of Imperial federation.

A state is in international law a "simple international person," appearing as one unit in its relations with other states, and all its parts stand or fall by the action of its central government. Consequently control in the conduct of its foreign affairs is concentrated in that government, one plan for the national defence, with proper regard for the safety of all its parts, is imposed by it, and the expenses involved in putting this plan into effect are equitably distributed over the whole area to be defended. Attempts to achieve this strategic unity within the Empire raised the issues of Imperial defence and the control of its foreign relations. These were absolutely unavoidable problems and upon their satisfactory solution the whole future of the Empire depended. Both Dr. Parkin and Sir Joseph Ward, for instance, built their case for Imperial federation about them. The Imperialists hoped readily to have settled these issues by entrusting them to the new government, the most important work it would have had to undertake. Since the War, without such adequate machinery for attending to it, the problem of the conduct of Imperial foreign affairs has become one of transcending difficulty.

In this neo-mercantile age, with its industrial and commercial

<sup>1</sup> Bernard Holland, *Imperium et Libertas*, p. 285.



rivalries, competing tariffs, and search for sheltered markets, each nation strives to become an economically self-sufficient unit, maintaining within its own borders all practicable industries, guarding the home market and those of its colonies for its own manufacturers by means of a tariff wall, and striving to bring under its own political control all natural resources necessary for its material existence. No one part of the Empire, least of all the United Kingdom, fulfils these requisites of economic self-sufficiency, or is able even to approximate thereto save by much sacrifice, waste and artificiality, but no country could be more amply blessed by nature than was the Empire as a whole, were it an economic unit. The economic integration of the Empire, then, was another major Imperialist objective. The name of Joseph Chamberlain has been most closely associated with this aspect of the wider Nationalism, but his outlook was merely typical of it :

I want to ask you to think what this Empire means, what it is to you and to your descendants. I will not speak, or at least I will not dwell, on its area, greater than that which has been under one dominion in the history of the world. I will not speak of its population, of the hundreds of millions of men for whom we have made ourselves responsible. But I will speak of its variety, and of the fact that here we have an Empire which with decent organisation and consolidation might be absolutely self-sustaining. Nothing of this kind has ever been known before. There is no article of your food, there is no raw material of your trade, there is no necessity of your lives, there is no luxury of your existence which cannot be produced somewhere or other in the British Empire, if the British Empire holds together, and if we who have inherited it are worthy of our opportunities.<sup>1</sup>

The foundation of a national economic edifice is its tariff. Hence the Imperialists' efforts to bring about the economic unification of the Empire concentrated upon the Imperial tariff question ; with this question, too, was intimately associated that of providing sources of revenue for the proposed Imperial government. In its earlier phase the matter at issue was a Colonialistic project to establish an Imperial *Zollverein*, where Britain would be the workshop of the Empire at least, since it could no longer be that of the world. Its later and more pertinent phase implied a tariff wall about the Empire (necessitating, of course, a reversal of traditional British fiscal policy), with a system of reciprocal preferential tariffs within it—a basis of organisation which entailed

<sup>1</sup> At Glasgow (October 6, 1903) : *Speeches*, vol. ii. p. 153.

far less disruption of local fiscal arrangements, in fact might be effected without the intervention of a central government, yet was calculated to promote a healthy decentralisation of economic activity and at the same time assure the opportunities of a vast sheltered market of all Empire producers.

The subsidiary elements, too, must receive adequate attention—capital investment, migration, marketing, communications and transportation, and the various media of commercial intercourse. Whatever the degree of central control, at least planning, organisation, concerted action on an Empire-wide scale were essential :

Other things being equal, purchases of raw materials should be made within the Empire. Also, raw materials within the Empire should be made into finished products within the Empire. In other words, the Empire should be viewed as one country, peopled by one people—a brotherhood—a commonwealth spread over seven seas. What helps one portion helps the whole. Where one Dominion is weak the whole Empire suffers. . . . The adequate Imperial attitude is to survey the Empire and estimate how, by concerted action, support and encouragement may be given to the Dominions where business-like development presages succeeding profit. The Dominions are capable of development ; money is needed for this development, also organising genius.<sup>1</sup>

Unfortunately any adequate discussion of the issues of Imperial economic organisation must remain outside the scope of the present volume. It is important to point out, however, that they are not peculiarly Empire difficulties, for the maintenance of a satisfactory balance among their various economic interests is the besetting problem of all great nations, and the root of most of their sectional cleavages.<sup>2</sup> In the case of the Empire, however, geographic segregation has promoted so intense a localisation of economic interests that attempts at economic integration have encountered the same type of obstacle as have the other aspects of Imperialist effort.

Federalism, foreign policy and defence, Imperial fiscal policy—these embodied the essential Imperialist objectives and evoked

<sup>1</sup> Sir Hamar Greenwood, in *United Empire*, vol. xii. p. 143.

<sup>2</sup> Witness the controversy in America as to whether everything shall be subordinated there to industrial expansion with its attendant imperialism which culminated in the choice of Herbert Hoover to lead the dominant party in that country. It will readily be seen that even within a single large nation certain dependent sections may in an economic sense be "colonies" of some dominant industrial area ; see A. Bramley-Moore, *Canada and Her Colonies* (1911).<sup>\*</sup>

the major issues, all of them highly contentious. But there were numerous features subsidiary to these which would be as desirable in a United Empire as in any nation, and each of which, accordingly, gave rise to a corresponding Britannic issue. Regarding many of these questions, fortunately, there was fair agreement as to principle, though differences as to details, particularly apportionment of financial obligation. On the constitutional side there were the difficult problems of an Imperial appeal court, of uniform Imperial citizenship and naturalisation, also the desirability of achieving the greatest possible uniformity in the laws of the Empire and in civil service standards. As regards economic matters, there was the burning question of systematised migration within the Empire rather than without it, and particularly that of British Orientals who sought economic betterment where they were not wanted. There were the issues of merchant shipping promotion and regulation, and the development of communications by land, sea and air, also the Imperial aspects of the transmission of intelligence ; there was the desirability of uniformity in the systems of currency, banking, weights and measures, patents and copyrights, and professional standards. Of course that identity to be expected in a small unitary area could not be sought in a widely-extended federal state, but the existing heterogeneity could not but seem undesirable to the Imperialist with wide commercial interests.

### *Conflicting Reactions to the Issues*

The reactions of the several schools of thought to the controversies provoked by these issues during the salient episodes of the past thirty years or more will be considered in detail in succeeding chapters. The most crucial of these have related to the conduct of foreign relations and defence, and some further analysis of the Imperialist-Nationalist alignment thereon is advisable at this point. Of the other major issues it may be said that, while Imperial federation was the Imperialist's principal objective, the Colonialist would accept it but grudgingly, on demand of the Dominions, and as an alternative much preferable to disintegration. He says, as Egerton did in 1897 : " I have not denied—and no one, I think, can deny—that if the Colonies come to demand Imperial federation, Imperial federation there

will have to be.”<sup>1</sup> The Nationalist on his part, in order to escape Imperial obligations, may resort to the time-honoured slogan of the American Revolution, yet countenance a very paradoxical application of it—he may agree with Mr. Ewart that : “ Declaration of our adoption of the principle of no obligation without representation is, in view of the impracticability of representation, not far removed from a declaration of independence.”<sup>2</sup> In any case he will have none of such a proposal, as fatal to the actual and potential local autonomy which he enjoys.

In the matter of Imperial economic organisation, while the Imperialist would secure for the various regions of the Empire that degree of equality of opportunity and consideration of their interests, such as it is, which integrated national organisation affords, the Colonialist frankly holds the neo-mercantile theory from which he derives his name. He shares with the Nationalist in Britain a concern, first and last, for the interests of the Mother Country, and in the economic as in the constitutional sphere seeks to maintain the old relation of dominant and subordinates. Hence he vainly regrets the unrestricted grant of fiscal autonomy to the Dominions, and views with alarm the uses to which it has been put ; some reservations looking to fiscal unity should have been originally included.<sup>3</sup> The preferences he wants are

<sup>1</sup> H. E. Egerton, *A Short History of British Colonial Policy*, Preface, pp. viii-ix.

<sup>2</sup> *The Kingdom Papers*, No. 10, vol. i. p. 331.

<sup>3</sup> Note the tone of approval with which Sir Charles Bruce (*True Temper of Empire*, pp. 4-5) quotes from Disraeli's Crystal Palace speech as well as the argument itself : “ . . . Lord Beaconsfield, in a speech at the Crystal Palace on Midsummer Day, 1872, clearly indicated the difficulties to which the grant of self-government to the Colonies without intelligent anticipation of its bearing on their relation to the rest of the Empire, has given rise. He said : ‘ Self-government, in my opinion, when it was conceded, ought to have been conceded as part of a great policy of Imperial consolidation. It ought to have been accompanied by an Imperial tariff, by securities for the people of England for the enjoyment of the unappropriated lands which belonged to the sovereign as their trustee, and by a military code which should have precisely defined the means and the responsibilities by which the Colonies should be defended, and by which, if necessary, this country should call for aid from the Colonies themselves. It ought, further, ‘o have been accompanied by some representative council in the metropolis, which would have brought the Colonies into constant and continuous relations with the Home Government. All this, however, was omitted because those who advised that policy—and I believe their convictions were sincere—looked upon the Colonies of England, looked even upon our connection with India, as a burden on this country, viewing everything in a financial aspect, and totally passing by those moral and political considerations which make nations great, and by the influence of which alone men are distinguished from animals.’ ”

unilateral, and he indignantly resents any appearance of advice or dictation from overseas which aims to bring the tariff policy of the United Kingdom into line with an Imperial scheme. In the Dominions this attitude has been less marked, although we do have comparatively recent expressions of eagerness on the part of Dominion statesmen for the establishment of an Imperial *Zollverein*.

The Nationalist in turn, having the interests of his own country first in mind, demands an unfettered discretion in the policies he will pursue in this case as in all other respects. Sir Wilfrid Laurier, for instance, approached Imperial tariff discussions solely from the point of view of Canada; was as concerned for her trade with the United States as with the rest of the Empire, and had his projected reciprocity agreement with that country in mind when he supported Imperialists in securing the abolition of most-favoured-nation treaty restrictions on the Dominions.<sup>1</sup> It was free-trade Liberalism, not Imperialism, which inspired his grant of a preference to British goods. Moreover he was wont to oppose the Imperialist reciprocal-preference project of organisation on the plea that it must eventually lead to the purely free-trade union which Colonialists sought to impose.<sup>2</sup> The contrast between these attitudes, and the fundamental relation which points of view upon Imperial issues have borne to the stage of economic evolution reached by a Dominion, were strikingly revealed in the 1894 Conference at Ottawa. There Premier Forrest of Queensland, for instance, argued as follows:

The foreign trade of England is of the vastest importance to Australia. I look upon England as the great agent for receiving our

<sup>1</sup> *Infra*, ch. iii.

<sup>2</sup> As late as 1907 he claimed: "Until the day comes when my hon. friend and those who think with him are prepared to have an absolute system of free trade, and to admit there should be no tariff barrier whatever within the British Empire, it is idle to talk of having such a union as he hopes for. The idea is a grand one but the time has not arrived, if it ever may, to give effect to that idea, grand though it be. Suppose such a parliament were to sit in London—it is more gratifying to think it would sit in Ottawa—and suppose all the British Colonies and the Mother Country were represented in that parliament, does the hon. gentleman think it would be a desirable union if each country were to raise fiscal barriers against the others? Sir, I speak in all sympathy with the views of my hon. friend, but I must believe that no such system of union is possible except upon the basis of absolute commercial freedom within that union, and until you can achieve that, it is idle to talk of this grand confederation which the hon. gentleman has in his mind" (Canada, *House of Commons Debates*, session 1906-07, col. 2895, February 11, 1907).

raw material and distributing it, after manufacturing, throughout the world. It would be impossible for us to distribute our products without the assistance of England. . . . You will understand that in making these remarks I am in favour of a commercial union between England and her Colonies, a free trade one if possible.<sup>1</sup>

In contrast Hon. Geo. E. Foster, for Canada, set forth what subsequently came to be recognised as the only basis upon which Imperial economic reunion could be discussed. He said :

The time may come when we can negotiate a commercial reciprocity treaty with Great Britain. That time must certainly be deferred, however, until Great Britain puts duties upon goods which come into her country, on which she could give us some form of concession.<sup>2</sup>

It is natural that Colonialism in the conduct of Imperial foreign affairs and defence should have persisted much longer than in the case of other issues, such as fiscal policies. The geographical dispersion of the Empire contributed to this—as well as to the fact that it was superseded by Nationalism rather than Imperialism—mainly in two respects. In the first place, the Dominions were isolated, communications were slow, they were far removed from the hot-bed of world politics where events moved swiftly and secretly. Even less concerned were they with the sore spots of European diplomacy, the Balkans, Northern Africa, or the Far East. Hence an attitude of aloofness on their part was normal, first a feeling that the Mother Country was adequately caring for such matters, later that European affairs did not concern them, that the policies of the Home Government were her business solely. The situation was not conducive to the development of a desire to participate in Empire politics. On the other hand, the economic development of the Dominions had not progressed sufficiently for them to be aggressively imperialistic<sup>3</sup> on their own account, nor were they strong enough to exert influence in world affairs. Either of these factors would have brought the issue earlier to a settlement. Only concerning minor commercial matters did they interest themselves in foreign relations, and then not as world traders.

In addition to the immediate factors of geography in maintaining Colonialism, there was the undoubted preponderance of United Kingdom interests. In contrast to the Dominions,

<sup>1</sup> C. 7553, pp. 156-157.

<sup>2</sup> *Ibid.* p. 78.

<sup>3</sup> In the more usual, or economic sense of the term; cf. *infra*, ch. xi.

she was carrying on a world commerce, her activities were everywhere. She alone was responsible for the Crown Colonies, especially the tropical dependencies, upon which, increasingly, foreign problems turned. Not since 1812 had she become involved in war over one of the Dominions. In self-defence alone, she must undertake measures adequate for the protection of her whole Empire, and foot the bills whether or not aid were offered by her daughters. With this responsibility there naturally went an assumption of equivalent authority, which the Dominions found it in their best interests tacitly to accept. The legal unity of the Empire, also, which almost precluded direct negotiation with foreign Powers, aided in preserving this Dominion aloofness from international questions. Furthermore there was unquestionably in all quarters and among all shades of opinion in the Outer Empire a basic consciousness that the statesmen of the Mother Country had at their command in world politics an ability and experience, to say nothing of a bargaining power, which none of the Dominion governments could emulate. Hence rant as some of them might periodically at the results of British diplomacy relating to the Dominions, none of them made serious proposals to assume this responsibility for themselves. Finally, there was the fact that the working out of Nationalist policies entailed a long process of development and progressive decentralisation, during which the Colonial relation must be accepted, even exploited for their purposes. Thus all circumstances conspired to leave high policy as a monopoly to the Home Government.

As regards foreign affairs and defence the Colonialists sought to maintain a system wherein the Colonies were simply pawns of the Mother Country. Foreign policies would be decided, obligations equally binding upon all incurred, and defence measures undertaken, solely on the authority and responsibility of the Home Government.<sup>1</sup> Colonial assumption of their own protection was frowned upon, although few were as outspoken in stating their real reason as was the early American Governor who pointed out : " It would be to put an opportunity in their hands of setting up for an independence of the Crown, which, it is much to be feared,

<sup>1</sup> Jebb sees an attempted Colonialist *coup d'état* on the part of the British Government in their effort to transfer consideration of defence measures from the 1911 Conference to the Committee of Imperial Defence: *The Britannic Question*, chap. ii., and *infra*, ch. iv.

all the plantations on this whole continent have too great a propensity to.”<sup>1</sup> Contributions for defence from the Colonies, to be used at the Home Government’s discretion, would of course be welcome ; Colonialist writers are ludicrously complacent upon this point. The more patriotic Colonialists in the Dominions willingly accepted such principles. They denounced claims to a share in Imperial policy just as they ridiculed local defence projects, and were ready with unrestricted offers of aid to the Mother Country in any emergency. The less ardent of them, however, demurred emphatically to this last-mentioned feature.

From this standpoint, accordingly, there has been, at least until very recent years, far more of Colonialism than of Nationalism in the non-Co-operationist attitude in the Dominions, notably that of the Bourassa-Ewart-Monk school in Canada. They were wont to claim that defence and foreign affairs were exclusively the concern of the British government. Forgetting that the old feudal relation of “ Commendation,” which their position resembled, demanded service in return for protection, they alike refused contributions to the Imperial exchequer and denounced Nationalistic measures for their own safeguarding. Asked how under such circumstances Canada was to be defended, they argued on the one hand that Britain must assume this responsibility fully for her own sake in any case, and on the other pointed to the Monroe Doctrine as all the guarantee of protection they could ever need. This, of course, is tantamount to declaring Canada a protectorate of the United States, with all that “ protectorate ” implies. Thus they complicate the situation, even if they maintain their own consistency, by extending their Colonialist attitude to their relations with their southern neighbour.

The Nationalist, like the latter type of Colonialist, repudiates active Imperial obligations both in defence and foreign affairs. Unlike the latter, however, he professes willingness to assume external responsibilities of his own choosing and to provide in full measure for his own protection. He stands, therefore, for devolution in the conduct of foreign policy, with a corresponding

<sup>1</sup> Lord Bellemont, quoted in Egerton, *op. cit.* at pp. 117-118. Much of the apprehension expressed at the establishment of Dominion navies was of this character.



restriction of foreign commitments to that part of the Empire which undertakes them and is most immediately concerned. The logical outcome of his programme, it would seem, is the break-up of the Empire into several separate and independent states. For a variety of reasons, however, the Colonialist planks in the Nationalist platform were slow in decaying. For instance, Laurier and his Canadian colleagues, mainly owing to internal political difficulties with their left wing,<sup>1</sup> were wont to stress the "struggling community" or "equivalent contributions" argument, namely that expenditures incurred by the Dominions for public works really aided in Empire defence, and rendered them financially unable to add additional and direct assistance.<sup>2</sup> As this attitude related primarily to direct contributions to the Imperial Treasury, however, it was not incompatible with the later development of a Nationalistic policy of defence. The same may be said of their consistent refusal to share in the formulation of Imperial policy, while accepting its consequences; they had other ultimate aims in view.

As has been suggested, the dominant motive in both extreme and moderate Nationalism appears to have been avoidance of embroilment in the rivalries of the Great Powers, and the basic assumption upon which they proceeded was that these burdens and perils could be visited upon them only in consequence of their Imperial entanglements. Hence their general policy was the repudiation of Imperial obligations. To further this end recourse was had to several related arguments. At first their colonial status was invoked as a plea in abatement of responsibilities. More than a generation ago Mr. Mercier pleaded in the Quebec Legislature:

Up to the present time we have lived a colonial life, but to-day they wish us to assume, in spite of ourselves, the responsibilities and dangers of a sovereign state, which will not be ours. They seek to expose us to vicissitudes of peace and war against the great powers of the world; to rigorous exigencies of military service as practised

<sup>1</sup> See Jebb, *Imperial Conference*, vol. ii. pp. 171-175.

<sup>2</sup> This "equivalent contributions" theory seems to have been widely held in Canada. See *Industrial Canada*, vol. iii. p. 520, editorial. See also Sir Charles Tupper in *Nineteenth Century* (October 1891), Sir A. Caron in the 1894 Conference (C. 7553, pp. 197, 223), Hon. Mr. Brodeur in the 1907 Conference (Cd. 3523, pp. 139-141, 481), Sir W. Laurier (*ibid.* p. 542), Sir Jos. Ward (*ibid.* p. 135), and the reply of Newfoundland to Lyttelton's despatch of 1905 (Cd. 2785, No. 7, pp. 9-10).

in Europe ; to disperse our sons from the freezing regions of the North Pole to the burning sands on the desert of Sahara ; an odious régime which will condemn us to the forced impost of blood and money, and wrest from our arms our sons, who are the hope of our country and the consolation of our old days, and send them off to bloody and distant wars, which we shall not be able to stop or prevent.<sup>1</sup>

What is at bottom the same argument, though modernised and reinforced by more characteristically Nationalist appeals, was used by Mr. Bourassa in relation to the late War. He insisted :

Canada as a mere irresponsible dependency of Great Britain has no moral or constitutional obligation, nor any immediate interest in the present war. Great Britain has entered the conflict of her own free will, in consequence of her entanglements in the international situation. She has framed her policy and decided her action with a sole view to her own interests, without consulting her Colonies or considering in any respect their peculiar situation and local interests. The territory of Canada is not exposed to the attacks of any of the belligerent nations. An independent Canada would be to-day in absolute safety. The dangers to which her trade may be exposed result from the fact that she is a British possession, subject to the consequences of British policy, and the risks of a military intervention decided by the Imperial government upon their exclusive authority and responsibility. It is therefore the duty of Britain to defend Canada, and not the duty of Canada to defend Britain. . . . Besides, in protecting the territory and trade of her Colonies, Great Britain makes sure of her own subsistence.<sup>2</sup>

Among the principal ingredients of the more developed argument were first of all a denial that a major struggle was impending and hence that the assumption of defence burdens was necessary. The present writer recalls, for instance, an address by Mr. Mackenzie King to an audience of students at McGill University (then under the leadership of the late Sir William Peterson) not many months prior to the cataclysm, in which he argued for more than an hour that no emergency calling for Canadian action really existed.<sup>3</sup> Even if there might be danger to the United Kingdom from European entanglements there was none for the Dominions unless they sought it. Hence the further resort to emphasis upon Dominion distinctiveness and the

<sup>1</sup> Quoted in Parkin, *Imperial Federation*, pp. 85-86.

<sup>2</sup> *The Duty of Canada in the Present Hour*, pp. 38-39.

<sup>3</sup> See Professor Wrong's analysis of Canadian sentiment at the time in "Canada and the Imperial War Cabinet," *Canadian Historical Review*, vol. i. at p. 10.

diversity of their circumstances and those of the Mother Country. They spoke as if the Dominions were already separate entities, entitled in the view of foreign Powers to adopt individual attitudes upon external issues. Sir Wilfrid Laurier, for example, expressed surprise that his country should be considered backward in defence preparations, "in view of the fact that Canada has no quarrel with anyone, that she desires no territorial aggrandisement, that she occupies geographically an isolated position, and that she has only one neighbour, with whom she has been at peace for nearly one hundred years."<sup>1</sup>

Among their subsidiary arguments—in which Colonialism was still a pronounced ingredient—was the plea that, since the Dominions had no voice in the formulation of Imperial policies, they should not be held liable for the consequences thereof, and that sharing the burden of the Imperial defence bill meant taxation without representation. They paid no more heed to the Imperialist retort that under existing circumstances all defence aid must be freely voted by their own representative parliaments than they did to offers of participation in Imperial counsels. Further contentions were that the Dominions must devote all their resources to internal development and could not afford additional expenditures; that their public works strengthened and increased their resources and so constituted an aid to the Empire more substantial than direct contributions; that by assuming responsibility for their own local defences they had in any case relieved the Mother Country of a great burden and done all that could be expected of them. To the Imperialists all this seemed mere pettifogging; the situation was too serious to allow pause for digressions into accountancy, for their very national existence was at stake.

If the cardinal feature of Nationalist policy was the minimising of existing Imperial liabilities, obviously nothing should be done which would involve the assumption of additional commitments. Hence, not merely were centralising projects which implied the communal settlement of external problems emphatically vetoed: all overtures looking to consultation between the Home Govern-

<sup>1</sup> Canada, *House of Commons Debates*, session 1909, col. 3504 (March 29, 1909). For a striking illustration of contrasting emphasis upon community and diversity within the Empire, see the opening speeches of Premiers Baldwin and King respectively to the 1926 Imperial Conference, Cmd. 2769, at pp. 7 and 16.

ment and the Dominions, even, were viewed with the utmost suspicion, notwithstanding the continued acceptance of a purely colonial relationship which such aloofness implied. Thus on the one hand Sir Wilfrid Laurier refused, at the Imperial Defence Conference of 1909, an undertaking always to place the vessels of the Canadian navy at the disposal of the Admiralty in case of war, repeatedly refused to furnish estimates as to the military forces which would be available from Canada in a crisis, and uniformly replied to Centralist enquiries that Canadian action would be determined "when the need arose." Correlatively, when the issue of Dominion participation in the conduct of foreign policy was definitely raised by Sir Joseph Ward at the 1911 Conference, Sir Wilfrid supported Mr. Asquith's point-blank response, "that authority cannot be shared," with the complementary argument that there were "questions eminently in the domain of the United Kingdom," and that the Dominions should not offer advice unless they were prepared uniformly to back that advice with all their powers—a general undertaking which they in Canada had repudiated.<sup>1</sup> Thus his motive was to retain a free hand for Canada in external as in domestic affairs. In keeping with this stand he consistently adopted a policy of mutual non-interference among the British nations, of autonomy all round, which proved a constant obstacle to the Imperialists in their efforts to vitalise Imperial Conference discussions.<sup>2</sup>

The case was not rested even there, however—at least as far as the extremists were concerned. A frequent contention was to deny that the British nations were mutually liable for the consequences of each other's embroilments, or for rendering assistance in case of trouble. For instance during the South African controversy Mr. Bourassa protested that Canada's course of action presumed liability also to support New Zealand in her recent efforts at "aggrandisement" in the Pacific, and for the

<sup>1</sup> Cd. 5745, p. 117.

<sup>2</sup> Naturally he showed no sympathy with the efforts of other Premiers to impress tariff reform upon the Home Government at the Conference (e.g. Cd. 3523, pp. 228-229); he opposed raising specific issues of foreign policy there (*infra*, espec. ch. iv.); he justified his support of Australian contentions regarding most-favoured-nation commitments on the plea, not that this was a matter of common interest, but one which concerned Australia then and might similarly affect Canada later (Cd. 5745, pp. 138-139); he was most apologetic on one occasion for citing the cattle embargo issue between Canada and the Mother Country (Cd. 3523, p. 415). For a characteristic statement of this viewpoint see Cd. 1299, p. 41.

consequences thereof.<sup>1</sup> One aspect of this attitude was the magnanimous refusal of the Nationalists to allow the Mother Country to feel obligated in any way for their protection. As Mr. Bourassa again put it: "I do not belong to the school which would ask one iota of a sacrifice in order to protect Canadian interests."<sup>2</sup> In Canada, furthermore, the argument was strengthened by the assumption of an alternative recourse which they might choose at will. While their attitude toward the Imperial connection rendered them captious critics of all moves which seemed to imply co-operation with the rest of the Empire,<sup>3</sup> their views regarding international affairs made them as consistent opponents of any effective measures for the defence of their own territory.<sup>4</sup>

The Mother Country fared badly at ultra-Nationalist hands. She was given ample credit for her share in turning the Old World into an armed camp and for ruthless expansionism elsewhere. A favourite plea, furthermore, was that were she relieved of responsibility for the Dominions she could not on that account abate one ship or one gun of her armaments—certain admissions of British statesmen to this effect were eagerly quoted in justification—hence appeals for defence aid from overseas were unwarranted. It was after all British interests alone which were stakes of diplomacy and British commerce which needed protection. The Mother Country's policies were formulated solely with a view to her own interests and the Dominions should follow a like course. The Imperial connection had been merely a source of danger in the past, would inevitably prove so in the future, and had best be ended.<sup>5</sup> In the case of Canada this

<sup>1</sup> Canada, *House of Commons Debates*, session 1901, col. 1321.

<sup>2</sup> *Ibid.* session 1903, col. 14787.

<sup>3</sup> "It is urged that Sir Wilfrid allowed himself to be compromised and his freedom of action embarrassed in three ways: (1) By concurring in the inclusion of Canada in the Imperial Defence Committee, and by attendance, at its meetings, of Canadian representatives; (2) by agreeing to the constitution of the Imperial General Staff, and by the formation of a Canadian section of that body; (3) by acceptance of the confidences of the British Foreign Secretary with reference to his foreign policy" (J. S. Ewart, *Kingdom Papers*, No. 9, vol. i. p. 251).

<sup>4</sup> In view of the international situation, their professions of support for measures purely in defence of Canada and hostility only to provisions for co-operation with the Empire are belied by their intransigent opposition to the Canadian navy project and overseas service on the part of Canadian troops.

<sup>5</sup> As Mr. Ewart put it: "Political association with the United Kingdom has been the cause of all the wars in which we have been engaged, and all the raids to which we have been subjected. Continuation of the association may at any time plunge us into renewed war" (*op. cit.* No. 10, vol. i. p. 312).

argument was coupled with the contention that Britain's fanatical devotion to friendship with the United States precluded her affording them aid against danger from the only quarter whence (in view of the Monroe Doctrine) such could arise. Hence the Monroe Doctrine was invariably cited as an alternative which was at once surer and which involved no attendant risks or obligations. Mr. Bourassa advanced a typical claim when he asserted :

A defensive understanding with the United States would certainly impose upon us large outlay for the protection of our maritime frontiers—but it would cost us less, much less, than the Britannic tie has cost us up to the present, infinitely less than the Imperial association will cost us in the future. And it will have the advantage of protecting us more effectively against the United States than the "protection" of Great Britain or the combination of the countries of the Empire.<sup>1</sup>

If between Nationalists and Imperialists there was a great gulf fixed, there were likewise striking differences in degree if not in kind between the moderate and extreme Nationalists. While the attitude of the latter was purely negative and isolationist, there was a positive side to the doctrine of the Laurier school which made it much less paradoxical and was the best of politics to boot. They professed to favour voluntary co-operation with the rest of the Empire as strongly as they abhorred integration. Sir Wilfrid Laurier asserted for Canada a dual status which marked him off from the non-participationist school as distinctly as from the Imperialists—from the latter because of his persistent emphasis upon Canadian national identity while they were stressing Empire interdependence, from the former because he insisted upon recognising the Imperial connection as conferring benefits as well as liabilities, and asserted his willingness to co-operate in the hour of genuine need. On the occasion of the defence resolution of March 29, 1909, in the Canadian House, for instance, he said :

We are British subjects. Canada is one of the daughter nations of the Empire and we realise to the full the rights and obligations which are involved in that proud title. It has been, it is, and it shall be our unalterable determination to meet and to carry out every duty which is implied by the title of "British subject." Nay, more—not only will Canada fulfil every obligation which is implied by that title, but I think I may make bold to say that we will rise to every sacrifice that

<sup>1</sup> Quoted from "Hier, Aujourd'hui, Demain," in *United Empire*, vol. vii. 512.

may be needed in order to maintain unimpaired the rank and status which is occupied by the British Empire throughout the world.<sup>1</sup>

Sir Wilfrid Laurier unquestionably has been the most outstanding figure in the formulation and exposition of Nationalist doctrine in the history of the Britannic Question. His policies embodied not merely the theory of Imperial constitutional relations which eventually won formal acceptance throughout the Empire, but an attitude to world politics which was carried through the post-War re-alignment regarding the problems of the Commonwealth, and still constitutes the basis of the Nationalist reaction to external issues. To recapitulate, it implied first, recognition of the unity of the Empire in international law and of the liability of all its parts to the full consequences of belligerency; this was not questioned:<sup>2</sup> secondly, the right of each British nation to decide for itself whether it would participate in Empire wars, and if so, the nature and extent of such participation: in the third place, a professed eagerness to come with all resources to the aid of the Mother Country in the hour of genuine need—but only upon a basis of voluntary co-operation, untrammelled by any prior commitments, and in view of the merits of the specific case. This policy was first definitely set forth during the South African War, and was reaffirmed upon every occasion when the issue arose until the very close of his career. It was, perhaps, most succinctly stated by him on one occasion during the naval controversy as follows:

Under present circumstances it is not advisable for Canada to mix in the armaments of the Empire, but we should stand on our own policy of being masters in our own house, of having a policy for our own purpose, and leaving to the Canadian Parliament, to the Canadian Government, and to the Canadian people to take part in these wars in which to-day they have no voice, only if they think fit to do so. This is the policy which we have presented.<sup>3</sup>

On this basis, and in defiance of his left-wing associates, he supported both the Empire wars of his period, but in each case with the claim that his country's action was an entirely voluntary recognition of the justice of the British cause. Thus of the South African War Sir Wilfrid said:

<sup>1</sup> Canada, *House of Commons Debates*, session 1909, col. 3505.

<sup>2</sup> This particular point, however, has subsequently been modified by the Nationalists.

<sup>3</sup> Canada, *House of Commons Debates*, session 1910-11, col. 455 (November 29, 1910).

What we did we did of our own free will, and as to future wars I have only this to say, that if it should be the will of the people of Canada at a future stage to take part in any war of England, the people of Canada will have their way.<sup>1</sup>

When Mr. Bourassa attacked the merits of the dispute, he retorted: "I am fully convinced that there never was a more unjust war on the part of any man than the war that is now being carried on by President Kruger and the people of the Transvaal. I have not the slightest hesitation in saying this."<sup>2</sup> He even claimed that Canadian participation in the Great War was an exercise of their own discretion. To the Reform Club of Montreal (December 12, 1914) he actually asserted:

We are a free people, absolutely free. The charter under which we live has put it in our power to say whether we shall take part in such a war or not. It is for the Canadian people, the Canadian Government alone, to decide. This freedom is at once the glory and honour of England which has granted it, and of Canada which uses it to assist England.<sup>3</sup>

In this case there was no questioning his conviction that the Allied cause was just.<sup>4</sup>

It is obvious, in the first place, that these principles could merely govern constitutional relations within the Empire and could have no validity whatever in relation to foreign Powers. Under the existing circumstances of the Empire, his professed demarcation of the concerns and liabilities of the several British nations was usually forced, sometimes patently absurd, and involved the continued acceptance of a colonial status in vital respects. The inconsistency in his position becomes less marked if it be remembered that he had in mind merely local wars such as the South African difficulty and did not contemplate the prospect of a universal conflict; that his principles could still be maintained technically in the latter eventuality, through the acceptance by the Dominion Parliament of the facts of the situation, and that this declaration of policy was made during a period when Imperial relations were still a family matter and was intended

<sup>1</sup> Canada, *House of Commons Debates*, session 1900, col. 1846 (March 13, 1900).

<sup>2</sup> *Ibid.* col. 1843.

<sup>3</sup> *Canadian Annual Review* (1914), p. 166.

<sup>4</sup> Outstanding in many other respects, the speech which Sir Wilfrid delivered in the Canadian House on August 19, 1914, is also an excellent reaffirmation of the Laurier policy: see Keith, *Selected Speeches and Documents*, vol. ii. pp. 357-367.



to apply merely within the Empire. The explanation probably is that Sir Wilfrid looked forward to an indefinite period of tranquillity and gradual evolution during which his contentions would be realised. Moreover, only by the assertion of a strict policy of mutual non-interference could he justify his postulates regarding Canadian autonomy and defeat Imperialist efforts to place upon a permanent basis of co-operative settlement matters which were then of common concern, but the eventual decentralisation of which he hoped to achieve. His was a policy of the pre-War era, definitely circumscribed and adapted to the circumstances of the period, and within its limits thoroughly intelligible. It was not until Premier Mackenzie King, oblivious to intervening developments, reaffirmed it literally during the Lausanne Treaty episode—and relegated Canada to a situation identical with that which she bore in relation to the Belgian guarantee of 1839—that the policy assumed Gilbertian features.

Of the extreme non-participationist stand in Canada little need be said. When Mr. Ewart, for example, argued: "We are under no obligation to take part in British wars; the United Kingdom is under no obligation to take part in ours; and we and they must face the situation and cease to deceive ourselves with foolish flag-flappery,"<sup>1</sup> he appeared to be asserting for Canada willingness to assume complete equality, if separateness of responsibility in foreign relations with Great Britain. Not so, however; the net effect is a mere ignoring of the facts of the matter, seemingly in a hope thereby to secure the desired release from the anxieties of world affairs. Actually, and despite his argument, the mutual liability of the British nations was (and probably still is) absolute. Nor was his position then valid even as a convention of Imperial constitutional law. Most serious are the flaws in the theory from the political standpoint. Apart from a discredited interpretation of Canadian history, it rests entirely upon two assumptions—first, that Canada would never be in any danger from overseas, thanks to the Monroe Doctrine; secondly, that there would never be any serious friction between Canada and the United States. It will readily be seen, however, what would happen to such a proposition should either of these assumptions prove fallacious.

The reactions of Imperialists, as they heard these various

<sup>1</sup> *The Kingdom Papers*, No. 15, vol. ii. p. 157.

elements of Nationalist doctrine expounded to them, may readily be imagined. It was not so much the formal policy itself as the attitude toward Imperial relations it implied and the augury for the future which roused their apprehensions. With them the maintenance of the Imperial connection was axiomatic, as yet a basis of mere loose association of virtually independent governments seemed fatal to it, and the only tenable alternative was close integration in the conduct of matters of common concern. It was not "the wars of England" in which the Dominions would be involved, but Imperial wars in which the interests of any part of the Empire might be the precipitating factor. Considered as the statement of a broad principle for the guidance of Imperial relations in the future, the Nationalist position appeared to constitute the assertion of Britannic equality, of mutual non-interference and respect for autonomy, of full assumption, if strict delimitation of liability, on the part of each British nation. Viewed in the light of the situation existing when it was enunciated, however, it is seen to involve a highly one-sided arrangement which left the whole burden of responsibility in external relations with the Mother Country. The Dominions were wholly incapable of assuming obligations save through the Empire, although they might at any time embroil it—a condition thoroughly understood by Nationalists as well as Imperialists, but which they disposed of to their own satisfaction by reiterating the assertion that no complications need be apprehended on their account.

Against this theory of relationships, Britannic and international, the Imperialists marshalled their arguments in vain. They inveighed against so cowardly and thankless a repudiation of their just share in the common task. They appealed to Dominion national pride. They argued the greater economy and efficiency of large-scale enterprise.<sup>1</sup> To them the least comprehensible feature of Nationalist utterances was the imperturbable ignoring of the consideration which was uppermost in their own minds—that these were issues by no means solely within the determination of the Dominions, that foreign Powers

<sup>1</sup> As Hon. George E. Foster put it: "Can we not, by co-operation, without any of these countries losing one iota of its own independence and its own proper regard for its rights—can we not, by pooling our issues, with the whole strength and wisdom of the Empire in all its parts, frame a system of co-operation by which with least cost to any part, the greater efficiency of the whole shall be brought about?" (Canada, *House of Commons Debates*, session 1906-07, col. 5547).

certainly had their own views on the subject and were yet to be heard from. Furthermore, the evangelical ardour with which the more moderate Nationalists affirmed their readiness to spring to arms if ever the need arose failed to convince—the need was very present and the proposition strategically unsound. As the Home Government put it in a memorandum to the 1909 Defence Conference :

It is fully realised that in the hour of danger the ties of kinship and affection which bind the self-governing Dominions to the Empire will prompt them to rally with enthusiasm to its aid. There seems, however, some reason to fear that an idea prevails that this help may be organised at leisure after hostilities have broken out. In certain circumstances no doubt this might be the case, but the conditions of modern warfare make it probable that great naval and military events will immediately follow, even if they do not precede, a declaration of war. If, therefore, organisations have to be improvised, staffs created, transport and equipment provided, and plans matured, after the outbreak of hostilities, the value of any assistance, however willingly and enthusiastically given, will be greatly lessened, even if such assistance be not altogether belated.<sup>1</sup>

While Imperialists agreed that the Empire must remain an international unit, speak with one voice a single policy, and act in accordance with a unified strategic plan, yet they consistently demanded that Colonialism be ended, not only through the assumption by the Dominions of a proportionate share of the burdens, but through their admission to an effective voice in the formulation of Imperial policies. That is, they aimed to reconcile the political with the strategic considerations throughout the Empire. They joined Sir Joseph Ward in his protest that :

The overseas Dominions have at present no voice—indeed no right to be heard—in connection with foreign policies, vital questions of international law, foreign treaties other than commercial, nor the crowning question of peace and war. In respect of all important matters, the citizens of the overseas Dominions are disfranchised, and no system can be adopted which, while increasing contributions from the overseas Dominions for Empire defence, still refuses these growing young nations a voice in these vital questions. To continue our present undefined policy violates the first principle of our constitutional system—that there should be no taxation without representation.<sup>2</sup>

15331

<sup>1</sup> Cd. 4948, p. 34.

<sup>2</sup> From a speech at Sydney, N.S.W., in 1911, quoted in *Round Table*, vol. i. pp. 534-535.

This constitutional innovation was a central feature of all Imperial federation proposals. When these suffered eclipse, and notwithstanding Mr. Asquith's peremptory rejection of the principle, consultation on foreign issues—not mere according of information, but actual, effective consultation—was demanded. As Mr. Fisher put it :

I only wish to convey to this Conference and to the Government that we desire, as far as it is practicable to do so, not only to be consulted after things are done, but to be consulted while you have ideas in your minds and before you begin to carry them out and commit us to them.<sup>1</sup>

The claim to Dominion participation on a continuous and permanent basis was renewed by Mr. Borden. Under the circumstances this could hardly have implied other than the federal solution, but the War and its attendant developments intervened.

### *Imperialist and Nationalist Campaign Strategy*

Under discussion these issues have revealed that close interdependence which is to be expected when they are seen to be specific items in a comprehensive plan of Imperial reorganisation. Clearly they could not be dealt with in water-tight compartments.<sup>2</sup> The airing of Nationalist grievances and Imperialist agitation for the removal of the anomalies they saw in connection with the conduct of foreign affairs, defence measures, or economic relationships precipitated the discussion. These constitute the original Imperial problems ; Imperial federation would supply the machinery and point the way for the smooth settlement of all of them. Thus, whatever question was under consideration, to the Imperialist possible ways out seemed inevitably to converge in one—establishment of a real Imperial government.

If by reason of their economic interdependence and their status in international law, all parts of the Empire were forced

<sup>1</sup> To the 1911 Conference, Cd. 5745, p. 114. For the Home Government merely to inform the Dominion Premiers of decisions made or contemplated and of the general course of world affairs (as seems to have been the practice at Imperial Conferences from 1911 on) or to accept from them advice on foreign relations to be followed or not at will, is not Imperialism. It is nothing more than a beneficent Colonialism. The Imperialist demands effective participation by the Dominions, which goes much further than this. See Mr. Jebb's criticisms on such procedure in *The Empire in Eclipse*, pp. 32-38.

<sup>2</sup> R. Jebb, *The Imperial Conference*, vol. i. pp. 228-229.

to stand or fall together, justice and common expediency demanded that all should share in the decisions upon which the fate of all depended. Moreover, "he who pays the piper calls the tune," and if, while the Mother Country bore the whole burden of Imperial defence, she expected to be the sole arbiter of Imperial policy, as soon as she desired others who benefited by her protection to assist her in meeting the expenses of it, she must call them to her counsels, nor could she expect them to contribute if she failed to do so.<sup>1</sup> So, too, Imperial defence is, as Mr. Chamberlain said, only another name for the protection of Imperial commerce. Wars are provoked by economic rivalries, and the conduct of Imperial foreign policy is bound up with the direction of Imperial economic organisation, a major factor in which is the control of tropical dependencies. The relation of the organisation of the economic resources of the Empire to its protection needs no elaborate comment. On the other hand, while the pressure of foreign competitors in British markets forced the attention of the Mother Country to Imperial problems, the rapidly developing economic life of the Dominions made them more and more conscious of their own existence and dissatisfied with their anomalous situation within the Empire, and as regards foreign nations with whom their contacts were steadily multiplying.

Although, in their systematic discussions of the subject, Imperialists recognised the close interdependence of their several objectives, and notwithstanding the fact that the major issues were all considered in some guise or other at virtually every session of the Imperial Conference, circumstances decreed that their programme should not be debated in practical politics as an integrated proposal. In the first place, to have brought forward a well-rounded project of Empire, and equally to have pressed all items in it, as too interdependent to be accepted save in their entirety, would have courted certain failure. The proposed changes would have appalled by their magnitude, and the half-converted been driven back to the opposition camp. Hence all was not staked upon one pitched battle, rather the campaign has taken the form of a series of engagements; first one, then

<sup>1</sup> As Mr. Jebb noted in 1916: "For forty years this question of naval control has been the pivot, open or hidden, of the constitutional controversy" (*United Empire*, vol. xi. p. 164).

another issue has been stressed, in the hope that Imperialist success therein would create a situation making acceptance of complementary propositions inevitable. Furthermore, serious divisions appeared in the ranks even of sincere Imperialists on the question of strategy. There has been considerable difference of opinion from time to time as to the line along which unification could most hopefully be sought. Some, apparently, reached independent conclusions, while others stressed that aspect in which their major interest lay. In general, as the situation within the Empire altered, they pressed the issue which was for the time being uppermost, and sought to make it the avenue to closer union.

Mr. Chamberlain at first held that a beginning must be made with federation,<sup>1</sup> but after the failure of his Imperial Council scheme in 1897 and 1902, he argued :

You cannot weld your Empire together, you cannot draw closer the bonds which now unite us except by some form of commercial union. . . . I believe that if my proposal were carried, a federal council would be a necessity ; but you cannot have, at present at any rate, and I do not see any signs of your ever having, a federal council first. The Colonies want to know what it is they are to discuss before they come to your council. When you have got a commercial union, that will be something to discuss.<sup>2</sup>

Some zealous Imperialists, of whom Mr. Jebb should probably be identified as the outstanding spokesman, even seem from the outset to have considered federation impracticable, and pressing the issue calculated to do more harm than good. They contemplated a looser basis of organisation, of which economic interdependence must supply the cohesive force. As one of them warned during the enthusiasm of the late War : " The future of the Empire will not be made by Imperial assemblies or high-sounding constitutions. It may conceivably be marred by them, but it does not depend on them for its greatness. Rather, it lies in the highways of commerce." <sup>3</sup>

In the third place there were the Imperialists with reservations, whose adhesion to the cause was ardently and continuously expressed, but who could not bring themselves to accept some major readjustment or other which it inevitably involved. The

<sup>1</sup> C. 8596, p. 7.

<sup>2</sup> At Newcastle (October 20, 1903) : *Speeches*, vol. ii. p. 185.

<sup>3</sup> Major A. H. Aglionby in *United Empire*, vol. x. p. 232.

two great stumbling-blocks to these waverers, as it proved, were the constitutional reorganisation entailed by federation and the necessity of tariff reform in Britain. Hence they fell back upon gradual development as the only desirable process and sentiment (fostered, perhaps by improved communications) as the sole enduring bond of Empire. Despite their protestations, these men were indistinguishable from Nationalists. Nevertheless, they were both formidable in number and inspired the spurious hope that their support could eventually be won for a programme of unification. Hence, desire to meet their preconceptions did much to lessen the clarity with which the Imperialist case was presented and the ardour with which it was pressed. The attitude of the dyed-in-the-wool free-trader, who viewed his principle as a moral issue by which the very cause of closer union itself must be conditioned, is exemplified by the following solemn pronouncement :

An Imperialism which is deep founded in patriotism, in love of country, in community of sentiment, in fidelity to the ideals and traditions of the race, appeals to all but the meanest minds, even of Canadians. Material interest will do for one of the pillars of Empire, but if it is supported only upon the interests of an interested class, it will collapse like the Quebec bridge, to employ a simile which we can understand. . . . An Imperialism which is based only on trade appeals only to traders. We in Canada are not traders and our loyalty is not for sale either to the manufacturers of England to-day, any more than it was to those of the United States in 1891. . . . Until Imperialism is divorced from protection it will be a tainted thing. England rules because she rules justly. When England adopts protection she will become corrupt. 'Then she will cease to rule.'<sup>1</sup>

Mr. Chamberlain, in characteristic criticisms revealed how incompatible with Imperialist ambitions was this standpoint, and incidentally how pusillanimous it seemed to the apostles of more decided action.<sup>2</sup>

Hence, in the sphere of practical politics, although discussion of all the issues was fairly continuous, first one, then another major problem held the stage as expediency directed, and became the focus for Imperialist efforts. Which for the time being was to be foremost was determined both by the domestic circumstances of the Empire, and by contemporaneous developments in

<sup>1</sup> Andrew Macphail, *Essays in Politics*, pp. 208-209, 243.

<sup>2</sup> *E.g.* at Birmingham (November 4, 1903) : *Speeches*, vol. ii. pp. 243, 245.

world politics. At the 1897 Conference, Mr. Chamberlain began logically, as did the Federalists in the United States, with his scheme for a new central government, stating frankly that the fiscal arrangements of the Colonies and Mother Country differed too seriously to make possible as yet any commercial bond such as the *Zollverein* which had united Germany.<sup>1</sup> In 1902 he again placed his Imperial council scheme first, but was obviously much worried by the defence situation. No doubt the reception accorded his proposal by the Colonial statesmen (on the details of which the makers of state papers have been discreetly silent), as well as the progressive operation of those economic forces which led him to head the tariff reform movement in the United Kingdom, induced him to alter his strategy and concentrate upon the fiscal issue. The problem of commercial relations was the main reason for the calling of the 1907 Imperial Conference.<sup>2</sup> In that of 1911, Sir Joseph Ward again brought Imperial federation to the front. From then on, in view of the rather definite reception other issues had been accorded, and the ever-growing German menace, Imperial defence filled the horizon; in fact, Sir Joseph Ward had advanced his 1911 federation scheme under the guise of a "Parliament of Defence." Since the European War problems of Imperial economic organisation have once more forged ahead, while those relating to Imperial foreign relations have played so dominant a rôle that they have virtually become synonymous with the Britannic Question itself.

To the chagrin of Imperialists, as each one of these avenues of approach was taken, and the issue joined in an Imperial Conference, a check was recorded, and a new effort in another direction made necessary. In 1897 and 1902 the Imperial council proposal was vetoed. In 1907 it was made clear that, at least while the United Kingdom maintained her fiscal policy, Imperial preference must remain in abeyance. A definite decision upon the subject of Imperial federation was registered in 1911. Imperialist hopes were revived by the European War, but were dashed again when the Conference of 1921 failed to materialise into the long-expected constitutional convention for the British Empire. The Nationalists were not slow to take advantage of the mode in which Imperial issues were presented. Each pro-

<sup>1</sup> C. 8596, p. 10.

<sup>2</sup> Statement of Mr. Deakin to the 1907 Conference (Cd. 3523, p. 232).



position was subject to attack, as it was soon discovered, on the plea that the conditions requisite for its successful operation were non-existent. Thus it was unnecessary for Sir Wilfrid Laurier to meet Sir Joseph Ward's parliament of defence scheme by a direct assault—"we will not have Imperial federation." Rather, he made a flank attack, pointing out that means for raising the necessary revenues (which a successful resolution of the Imperial preference controversy would have furnished) were not lodged in the contemplated Imperial authority.<sup>1</sup> Apparently, too, a favourite procedure in blocking Imperialistic proposals, while avoiding point-blank repudiation of the whole principle, or even while seeming strongly to favour Imperial unity, has been to argue that not the particular suggestion under discussion, but some other is the proper mode of promoting closer relations, that to press it further might even jeopardise the whole movement.

In addition to the fact that the half-a-loaf tactics necessary in the world of practical politics were peculiarly disadvantageous to the Imperialist cause, that many of them were divided on questions of strategy, and that their vigour in action was seriously hampered by the fear of antagonising lukewarm adherents, the Imperialists laboured under far more serious strategic handicaps. In the words of Burke *opposuit natura*. The significance of the geographic dispersion of the Empire has not been merely that it made communication slower and more difficult. Geographic distinctness is one of the most potent factors in the development of national feeling. It has had full scope in Australia, New Zealand and South Africa, as in Britain itself. The attraction of America for Canada is the measure of the lack of it in the latter country. Enduring political unions thus far have been effected only among contiguous areas. True, the bond of sea power and the sense of isolation of its several parts have thus far held the Empire together and overcome the attractive force of more adjacent Great Powers, but this dispersion has at the same time been the most potent single force in determining that the organisation of that Empire should take the form, not of one single nation, but of a union of nations. Furthermore, geographic isolation promotes distinctness of economic life, the growth of vested interests identified with the region in question, which constitute the dynamic elements in the development of national feeling

<sup>1</sup> Cd. 5745, p. 68, and *infra*, ch. ii.

within it. Thus in the case of the Empire, the most powerful vested interests operative in the political life of its various parts were Nationalistic, and against these the Imperialists had to contend in vain.

Added to these obstacles was the all-pervasive heritage of Little-Englandism. Its colonial theory was summarised as late as 1885 by Lord Blachford, when he wrote :

I have always believed, and the belief has so confirmed and consolidated itself that I can hardly realise the possibility of any one seriously thinking the contrary—that the destiny of our Colonies is independence ; and that, in this point of view, the function of the Colonial Office is to secure that our connection, while it lasts, shall be as profitable to both parties, and separation, when it comes, as amicable as possible. This opinion is founded first on the general principle that a spirited nation (and a Colony becomes a nation) will not submit to be governed in its internal affairs by a distant Government and that the nations geographically remote have no such common interests as will bind them permanently together in foreign policy, with all its details.<sup>1</sup>

Such pronouncements throughout half a century, from the highest authorities in the Mother Country, gave all possible encouragement to Colonial Nationalists.<sup>2</sup> For a half-century, too, decentralisation had been the accepted tendency. Control of their domestic concerns had been almost fully devolved upon the Dominions. Most fundamental among these were matters relating to their economic life. Thus the full weight of governmental influence was diverted to reinforcing, rather than mitigating, the operation of the geographical factor in the promotion of Dominion national feeling. Furthermore the tendency was wholly to extend the domain of local concern. Already external commercial relations had been included in it, the settlement of local political questions was on a fair way to be added, and an important beginning had been made in the matter of defence policies. Imperialism meant stemming this tide.

Somewhat paradoxically, moreover, there had been built up in the Dominions, especially Canada, a tradition of hard-won Colonial liberties and hence a preoccupation with the safeguarding of local autonomy rather than with consideration of their ultimate

<sup>1</sup> *Letters*, pp. 299-300.

<sup>2</sup> The traditional desire of the Home Government to get rid of the Colonies has, for instance, afforded a never-failing argument, formally a grievance, to Mr. Ewart.

destiny among the nations. Analogous to this was the significant fact that the enmity engendered by their various jurisdictional disputes with the neighbouring republic had focussed on the Mother Country. Chagrin at her failure to secure the full Canadian claims, rather than emphasis upon the probable result had the Colony been left to bargain alone, was perhaps the natural reaction. At all events the effect of such episodes was to promote separation rather than closer reliance upon their ultimate source of aid.<sup>1</sup> An additional factor was the apprehension in the non-British population of Canada and South Africa that there was a strong racist ingredient in Imperialism which boded ill for their future integrity. This seemingly accounts in large measure for Mr. Bourassa's intransigence, for the alliance of Laurier and Botha in the 1907 and 1911 Conferences against the Imperial Council projects of Mr. Deakin and Sir Joseph Ward,<sup>2</sup> and for Sir Wilfrid's suspicion of the latter's emphasis upon the need of preserving a distinctly British character in the population of the Dominions.<sup>3</sup> At the turn of the century, therefore, there existed in Canada all the elements of nationhood, and there lacked merely some provocation like that to be afforded by Imperialism to make this latent Nationalism conscious. In the case of the other Dominions the situation was similar but less developed; the Imperialists had more pregnable fortresses to assail. Nevertheless the prospect was that, with the maturing of these Dominions, especially their economic evolution, they would reveal the operation of the same forces as were moulding the attitude of their elder sister.

When the Imperialists launched their programme, therefore, they faced a truly formidable task—greater, it will no doubt be agreed, than that undertaken by any group of centralisers in previous history. It was futile for them to protest that their ambition did not entail, nor did they contemplate, any interference with powers already devolved upon the Dominions, that it related only to matters as yet fully within the competence of the Home Government, and that the only alternative to their proposals for superseding these indefensible relics of Colonialism was the disintegration of the Empire, an outcome no one cared

<sup>1</sup> Similar though less pronounced effects resulted from the dissatisfaction of Australia and New Zealand with the Home Government over German establishments in the Pacific (*infra*, ch. iii.).

<sup>2</sup> *Infra*, ch. ii.

<sup>3</sup> Cd. 5745, pp. 40-41.

to contemplate. They were placed in the position of striving to turn the hands of the clock backward, of apparently aiming to bring about not merely a halt in the process of decentralisation, but a complete reversal of what had been the accepted principles of Imperial relations and Dominion development for two generations. They bore the brunt of the whirlwind which Little-Englandism had sown. Furthermore since the Imperialists took the initiative, the burden of proof lay upon them. Not merely was it incumbent upon them, however, to vindicate the desirability of their programme. Under the circumstances, as it proved, they were actually forced to demonstrate that the Imperial problem itself existed and demanded serious and immediate consideration.

In one highly important respect, finally, the Imperialists were as fatally deficient as the Nationalists were conspicuously fortunate—in continuity of leadership in the actual arena of politics. Throughout his career Sir Wilfrid Laurier was the recognised leader of the Nationalists in public life. He guided the public policies of the senior Dominion uninterruptedly from 1896 to 1911, he alone among the Premiers participated in all four of the crucial Conference sessions held during this period, and throughout these years was able to throw the full weight of his official prestige and influence upon the scale in favour of the viewpoint which he represented.<sup>1</sup> Sir Robert Borden reached the helm ten years too late to mould developments. Meanwhile Imperialist leadership was intermittent and shifting. After the era of Chamberlain and Lyttelton in Britain, the Home Government passed to the control of exponents of an antithetical point of view, and who acted as Laurier's best foils in the Conferences of 1907 and 1911. Before the Unionists resumed office the dies had been cast. In the interim the Imperialist cause was in the keeping of Deakin and Ward in the Antipodes, with some support also from Cape Colony. But Fisher succeeded Deakin, and the weight of a united South Africa was concentrated upon the Nationalist side in the person of General Botha, in political circumstances and outlook the counterpart to a remarkable degree of Sir Wilfrid in Canada. Thus in 1911, on his federation

<sup>1</sup> See the article by the present writer already cited ("Canada's Part in the Britannic Question," *Canadian Historical Review*, vol. viii. pp. 284-301), of which ample use has been made in the latter part of this chapter.

proposal, the New Zealand Premier stood alone. The War era produced a unique coincidence of official viewpoints upon Imperial relations, but the vicissitudes of the preceding period had brought it about that a unanimity which might have been truly Imperialist was now merely Co-operationist. Within two or three years of the Peace settlement the old differences and incompatibilities had reasserted themselves.

The Nationalists, on their part, exploited to the full the enormous strategic advantages of their position. Above all, time and the existing trend of developments were with them. Hence they had recourse to Fabian strategy. Actually, had it been necessary for them to declare themselves, they would have been found far more fundamentally divided than were the Imperialists as to their ultimate objectives. Had it been possible to place the issue squarely and force a definitive verdict upon specific alternative programmes, it is extremely doubtful whether the Nationalists could have presented a sufficiently united front and secured wide enough support to have prevailed at any period preceding the War. Such a dilemma was successfully avoided, however, and so point after point was lost by the Imperialists without their ever being able to force a thorough consideration of the whole problem of the Empire, or a comprehensive statement of policy from their opponents. In the first place, rarely indeed had public men the temerity to pronounce as dogmatically as did Mr. Asquith, when he refused point-blank in 1911 to share with the Dominions any authority over the conduct of foreign affairs<sup>1</sup>—the chances of early and enforced reconsideration were too great. Avoidance of a direct encounter, too, was rendered all the easier for the Nationalists by their refusal even to admit that the Britannic Question as such actually existed, and hence that any Imperial stock-taking was necessary. They consistently maintained that Imperial relations in general were thoroughly satisfactory, and denied that other than intermittent specific questions between the Mother Country and Dominions, which on the whole could most easily be settled by individual consultation, called for attention. On the basis of such an assumption, finally, it was not difficult to cast suspicion on Imperialist projects—if prevailing tendencies afforded so little cause for complaint, then there must be something sinister behind all this agitation.

<sup>1</sup> Cd. 5745, p. 71.

Such strategy is, for instance, essentially the explanation of Sir Wilfrid Laurier's apparent lack of enthusiasm towards approaching Conference sessions and the slight initiative displayed by Canada as regards submission of proposals for the agenda sheets. The typical Nationalist reaction to Imperialist overtures for consideration of the whole problem of the Empire in its various phases is, perhaps, best exemplified by the Canadian Government's despatch (February 3, 1902) accepting Mr. Chamberlain's invitation to the Conference of that year. The Governor-General transmitted the following comment :

Referring to the several questions mentioned in your despatch of the 23rd January, the only one which in the opinion of my Ministers gives promise of useful discussion is that of the commercial relations between the various sections of the Empire. The political relation now existing between the Mother Country and the self-governing Colonies, and particularly Canada, is regarded by my Ministers as entirely satisfactory, with the exception of a few minor details, and they do not anticipate that in the varying conditions of the Colonies there can be any scheme of defence applicable to all.<sup>1</sup>

Characterise their opponents as reactionaries seeking to rob them of their liberties, avoid the necessity of inclusive discussions, emphasise the diversity of interests and circumstances among the several parts of the Empire, consider questions *seriatim* and only when specific need arose, dispose of the Imperialist programme piecemeal—these have been the elements in the negative and most conspicuous aspect of Nationalist strategy, notwithstanding the fact that they implied remaining in the subordinate status of Colonies dealing individually with the Home Government, when they might instead have vindicated the right to settle collectively and on terms of equality with that Government matters which were the common concern of all of them. At the same time the positive Nationalist achievement, while less striking than their negative rôle, especially prior to the War, has been fully as significant. Although they have been uniformly suspicious of Imperial Conference meetings and professed a merely receptive attitude toward the discussions, they were continuously active at each session and during the intervals, and ready with their proposals on all opportune occasions. Furthermore the fact that their mode of procedure has been far more in

• •      <sup>1</sup> Canada, *Sessional Papers* (1902), No. 64.

keeping with the traditions of British constitutional development than that of the Imperialists has no doubt contributed largely to its success. Whereas the latter were forced to admit that their projects were radical, even revolutionary, the Nationalists set forth their demands as the obvious corollaries of accepted practices—refusal was made to seem tantamount to a repudiation of the very principles upon which Imperial relationships were based.

British constitutional innovations, apparently, must always be presented in the guise of mere restatements of well-known and long-established principles. The good laws of Edward the Confessor and the Charter of Henry I reappeared as Magna Carta. So it has been with the evolution of the Imperial Constitution. The American Colonists revived and transplanted overseas Puritan revolutionary appeals to the immemorial rights of Englishmen which were a decided innovation in the history of colonial policies. The Nationalists of a later day followed their lead. Custom was in time affirmed to be law, as in the 1926 Conference memorandum, and precedent was added to precedent in the truly British fashion which was thoroughly understood throughout the Empire. Thus like the Crown, the powers of the Governor-General were placed in commission and his remaining functions became ceremonial. The intervention of the Home Cabinet in the action of the Crown on Dominion affairs first became merely formal and then, despite the protests of the Austrians that it still must at least be implied, was declared to be no longer recognised. Little more than such a formal declaration is lacking to place review of Dominion legislation by the Home Government in the same category as the Royal veto. Moreover, in the year following the pronouncement by the Canadian Government cited above, the Alaskan boundary incident occurred, provoking a demand from Sir Wilfrid for more extensive power in the conduct of foreign negotiations. 1907 also was marked both by a reaffirmation of the excellence of Imperial relations and notable claims to an enlargement of the treaty-making power of Canada. On both of these occasions the inconsistency of the Government's attitude was vociferously explained to them by the Opposition, but the Premier took it as a matter of course.<sup>1</sup> So also ratification by Dominion Parliaments of treaties affecting

<sup>1</sup> *Ibid.* session 1902, cols. 14814 ff. ; session 1907-08, cols. 3514-3515.

them was secured by assimilating this right to that of legislating upon other aspects of their domestic affairs.<sup>1</sup> Finally, as is usual when written constitutions are framed, definitive pronouncements upon numerous points hitherto debatable were embodied in the report of the Imperial Relations Committee of the 1926 Conference.

In retrospect, it may seem that in face of the tremendous obstacles confronting them the Imperialist undertaking was from the outset merely quixotic. It should be remembered, however, that, on the one hand, the economic factors in the situation were not appreciated, nor could the uniformly inauspicious series of political circumstances, which dogged their footsteps and repeatedly postponed decisive action, be anticipated. Unanimity was thought essential to an enduring settlement, but again and again delay in the hope of propitiating a single intransigent Government and allowing their leaven to work meant the passing of a golden opportunity. On the other hand, despite all their handicaps, there were present throughout the Empire all of what are normally thought the most potent elements in the achievement of nationhood. There was community of language, of origin and of cultural heritage. There was a common loyalty, and the inspiration of a truly remarkable achievement in the past. There was, too, the solidifying influence of an ever-waxing foreign menace. Was it unreasonable to hope that a still more glorious nation could be built on such foundations?

Though well under way for a decade previously,<sup>2</sup> Imperialism can hardly be said to have entered practical politics until the advent of Joseph Chamberlain to the Colonial Office, and his opening address to the 1897 Conference may be regarded as the official launching of their programme. The emotional ingredient is vital in national sentiment; times of crisis are most likely to stimulate it and to sink all minor considerations. Hence it is not surprising that the period of the South African War and that of the recent great struggle marked the high points of Imperialist endeavour. The latter (1916-21) constituted their most energetic and concerted drive, but, in view of the fact that (whether admittedly so or not) the lines of development were clearly

<sup>1</sup> *Infra*, ch. vi; Borden, *Canadian Constitutional Studies*, pp. 121-122.

<sup>2</sup> R. L. Schuyler, "The Climax of anti-Imperialism in England," *Political Science Quarterly* (December 1921), vol. xxxvi. pp. 537-560.



determined and the major decisions actually made during the several years preceding, it appears in retrospect to be somewhat of an anticlimax.

The vicissitudes of the Imperialist movement surely constitute one of the great epics of modern times. It represents a deliberate organised effort against insuperable odds to mould political developments for the attainment of a magnificent ideal. Now that it can be viewed somewhat in perspective it should afford ample interest to the historian for its own sake. To the student of contemporary Nationalism, moreover, this systematic attempt to create a nation should prove highly instructive, the more so since the circumstances of its failure will serve to correct what he may deduce from other and successful instances. These are by the way, however ; since it has left the heritage of its influence upon the British Commonwealth, and still conditions all our thinking, Imperialism and its aftermath have far more than a mere academic importance to-day. Just as Imperialist activity consolidated Dominion Nationalism, or at least crystallised the opposition of the moulders of Nationalist thinking, so the discussions of the opening period of the century determined the bases of the post-War settlement in the Commonwealth, and must be considered before attempting any profitable examination of its existing problems.

## CHAPTER II

### IMPERIAL FEDERATION

THE movement to reorganise the Empire upon a federal basis raised an issue of a nature such as to render it at once distinct in an important respect from all others comprising the Britannic Question, and so peculiarly the focus for Imperialist effort that "Imperialist" and "Imperial Federationist" became virtually synonymous cognomens. The reason is not far to seek. The one issue had to do with the establishment of machinery, all the others—conduct of foreign policy and defence, fiscal relations, communications and the various minor questions—were problems of function. The attainment of the one objective, in the Imperialist view, if not absolutely prerequisite to the solution of the others, at least afforded the most logical and effective means of securing the course of action aimed at in these respects. Imperialists clearly foresaw the enhanced and persistent obstacles, the additional opposing arguments, which lack of effective machinery would multiply for them in their efforts to achieve those measures upon which they deemed the survival of the Empire to depend.

The analogy of the Imperialist movement to that of the Federalists who established the Constitution of the United States has attracted considerable attention,<sup>1</sup> and in addition to its general interest may serve to elucidate this point more fully. During the "critical period" under the Articles of Confederation several recognisable interest groups, distributed throughout the thirteen states and later identified with what was known as the Federalist party, shared alike a dissatisfaction with the domestic situation as it affected them, and a determination to remould the economic organisation of the American Union in a fashion more in accord-

<sup>1</sup> The publication of F. C. Oliver's *Alexander Hamilton* in 1906 appears to have added great impetus to Imperialist activity.

ance with their ideas. The remedy in the case of each seemed a new and stronger central government, endowed with certain essential powers over commerce, fiscal matters, foreign relations and defence, and at the same time imposing definite limitations upon state propensities. The first stage in their campaign, then, became the establishment of a government equipped with powers requisite for their purposes. Having secured this, the second stage was utilising that government for effecting the desired changes—funding the national debt, assumption of state debts, a national bank and currency system, protective tariff, regulation of western territory, promotion of foreign commerce, and so on.<sup>1</sup> As regards at least the relation of the constitutional to the other issues on their programmes, the Imperialist effort presents a striking parallel to that of the Federalists. Were some scholar to make a study of the dominant economic forces within the Empire, corresponding to the work of Dr. Beard for the United States, and discover how in this case they have operated centrifugally, it would assuredly constitute a second epoch-making contribution to an understanding of the nature and manifestations of Nationalism in modern history.

### *The Essentials of Imperial Federation*

The confusion and misrepresentation which steadily beset Imperialist efforts have already been commented upon. For the same reason a brief explanation of the essential features of federalism and the Imperial federation issue seems desirable. From the standpoint of the geographical distribution of the powers of government, three main types of relationship may be distinguished—corresponding, it is interesting to note, to the several bases of Imperial organisation which the logical working out of

<sup>1</sup> For the two phases of this achievement, see Charles A. Beard, *An Economic Interpretation of the Constitution of the United States* and *The Economic Origins of Jeffersonian Democracy* (New York, 1913, 1915). The principal interest groups involved were, briefly: holders of public securities who wished through assurance of interest payments to give their paper some value on the market; speculators in western lands who needed protection from the Indians to appreciate their holdings; creditors in general, shaken by Shay's rebellion, who demanded a check on the "rage for paper money" and wholesale state legislation for the relief of debtors, and commercial men disgusted with the fiscal chaos, the tariff wars of the states, and the low prestige and bargaining power of their country abroad. These represented essentially personality as opposed to the real property interests which were seemingly in the main content with the existing Confederacy.

the contrasting schools of thought already considered would respectively have implied. There is first the unitary state, in which all local units are creatures of the central government ; the latter is constitutionally the final judge of its own authority and may deal with the boundaries and powers of the former as it sees fit. Purely political, not legal, considerations are the sole basis of such local autonomy as exists. This is the system which Colonialism would have perpetuated, and under it the status of colonies is not essentially different from that of the internal areas of local government.<sup>1</sup> At the opposite extreme stands the confederate type of relationship, wherein final discretion remains with the constituent members ; it is the central government which is their creature. The latter comprises what is to all intents and purposes merely a council of ambassadors from the component states, and whatever the theory or formal terms of union may be, in actual practice their resolutions have no more than an advisory force ; decisions of the central body are executed or ignored in the manner each local unit sees fit. The confederate system, as it will appear, is that existing in actual fact, though not in theory, in the " British Commonwealth of Nations " to-day,<sup>2</sup> and the Nationalist viewpoint, carried out comprehensively to its logical conclusions, would result in the approximation of our legal and political theory to the actual facts of the situation.

The Imperialists, on their part, would have achieved the intermediate or federal type of union which historically has appeared as a compromise between a demand for a strong central

<sup>1</sup> Proposals at one time advocated for solving the Imperial problem by admitting Colonial representatives to the British Parliament (and which have frequently been confused with Imperial federation proper) also implied this type of government ; see A. L. Burt, *Imperial Architects*, chap. ix. The steadily growing congestion of business at Westminster and still more fundamental considerations long ago removed this expedient from the realm of serious discussion, yet within the present century both Bernard Holland and Sir Frederick Pollock felt constrained to devote considerable space to disposing of it ; see *Imperium et Libertas*, pp. 280 *et seq.*, and Royal Colonial Institute *Proceedings*, vol. xxxvi. p. 293. For a recent revival of the suggestion, see Lord Strathspey, *The Case for Colonial Representation in Parliament* (1923).

<sup>2</sup> It has been urged by a commentator that the British Commonwealth is not a confederacy, in that there exists no formal pact of union for its basis. Irrespective of the fact that the various Imperial Conference resolutions, notably the Balfour memorandum of 1926, undoubtedly constitute such a pact, it is the existence of a certain type of relationship, not the formal document embalming it, which signals a confederation. Historically such pacts have characterised unions of erstwhile independent states ; the Britannic Confederacy, in contrast, has been achieved by the decentralisation of a once unified state.

government on the one hand and ardent devotion to local autonomy on the other. Variations in relations commonly called federal render exact definition most difficult, but a federation may perhaps be defined as a governmental system in which, by the law and custom of the constitution, the central and major local units all possess more or less clearly defined spheres of activity upon which none of the others may constitutionally encroach. The essentials of the federal relationship would seem to be constitutional delimitation of the powers and functions both of the national and state governments, and equality of the status (though not necessarily, if ever in practice, of the political strength) of the latter units.

As regards Imperial federation, it should be borne in mind from the outset that throughout its course the controversy turned upon the principle of closer union itself, as opposed to the maintenance of existing tendencies, and focussed only intermittently upon concrete proposals for Imperial organisation. Actually the issue was resolved during the disposal of what were merely tentative suggestions, "entering wedges" which, if admitted, would have prepared the way for the reception of the grander project. The very inadequacy which they would have revealed in operation would have necessitated more comprehensive measures—unless they had damned the ultimate proposal itself meanwhile. Although this feature characterised the discussion, the essentials of a workable scheme of Imperial federation may readily be described, and had best be set forth briefly before the vicissitudes of the controversy are considered.<sup>1</sup>

Imperial federation would necessitate, in the first place, the complete constitutional reconstruction of the British Empire, the establishment of a distinctly Imperial government.<sup>2</sup> This might be created *de novo*, or historical continuity, a sort of

<sup>1</sup> The best exposition of the essentials of Imperial federation will be found in L. Curtis, *The Problem of the Commonwealth* (London 1916). Unfortunately, most discussions of the practical aspects of the subject are marred by a lamentable ignorance of the mere elements of political institutions.

<sup>2</sup> There is a characteristic combination of the correct and incorrect in the following Nationalist analysis: "What these gentlemen desire is not in the least to 'keep the Empire together,' but to dissolve it, and to substitute for it something entirely new—something, observe, which (as far as the relations between its parts are concerned) would not be an Empire at all, but a federal union" (J. S. Ewart, *Kingdom of Canada*, p. 55). See also Sir Jos. Ward's exposition to the 1911 Imperial Conference, Cd. 5745, p. 60; Curtis, *op. cit.* chaps. xiv., xv., xxi.

apostolic succession, might be preserved through the transformation of the existing Parliament of the United Kingdom into a truly Imperial parliament, by making it proportionately representative of the Outer Empire on the one hand, and divesting it entirely of functions relating solely to Britain on the other. Legal continuity, too, would probably be maintained through effecting these changes technically by act of the British Parliament, still the legal sovereign of the Empire. Nevertheless, as far as actual facts and outward appearances go, an Imperial federal government would be as much a new creation as was the government of the United States which emerged from the Philadelphia Convention of 1787.

The titular head of the new Imperial government would, of course, be the reigning Sovereign of the Empire, his title altered to the new situation, his prestige enhanced, if anything, by the change. The tenure, succession and emoluments of the Crown would be in the keeping of the new Imperial parliament, actual ruler of the Empire in all matters of Imperial concern.

The Imperial legislature must be representative of the whole Empire, and herein lie two difficulties. First, some parts of the Empire have had long experience in self-government, others are now on the way to acquiring it, while others are still under autocratic rule; furthermore, of the 450,000,000 total Imperial population, less than sixty-five millions are white. Now, though no one would be foolhardy enough to suggest swamping the white electorate by the grant of representation by population all round, yet the less advanced governments of the Empire should have a voice in its parliament, from motives of expediency if nothing else. Probably a variety in the suffrage qualification and in the mode of choosing representatives, but all to be on a footing of equality in parliament once they were accredited, would be a smoother working compromise than one which would call for different degrees of membership within the Imperial legislature itself. If an Imperial parliament were ever established, the issue of suffrage extension in regard to the non-white areas would be an ever-present and growing problem, but this was too far in the future to have aroused much concern among participants in the discussion.

The second problem involved in making the Imperial parliament representative is more immediate and practical, in fact it

has been one of the reefs upon which all federation schemes have hitherto foundered almost immediately after their launching. Of the white self-governing population of the Empire, more than two-thirds are resident in the United Kingdom, which means that, in a proportionately elected legislative body, the delegation from the Mother Country could carry every one of their proposals, or block every demand of the united Dominion representatives. In course of time discrepancies in population would tend to disappear, but not for long years to come, despite what seem to be sincere hopes on the part of Imperialists. Now the Dominions would not consent to enter a sovereign legislature in which for generations they would be hopelessly outnumbered, nor would the Mother Country consent to any artificial weighting of Dominion representation which would put her at a disadvantage. Nevertheless, this difficulty could be resolved after a fashion along the lines of the "great compromise" in American constitutional history, which has been so generally embodied in subsequent federal schemes, that is, by establishing a bicameral legislature wherein there would be representation according to population in the lower house, but equal representation of the various major units or groups of units in the upper chamber.<sup>1</sup> This compromise would take care of the problem of representation, but adds a difficulty in the matter of ministerial responsibility.

An Imperial cabinet would, of course, be a necessity,<sup>2</sup> for a legislative body large enough to be properly representative would be too unwieldy to act as executive also; furthermore, the work of a legislature is in its nature intermittent, whereas supervision of administration is a continuous process. This Imperial cabinet could be responsible only to the Imperial parliament;<sup>3</sup> the

<sup>1</sup> See Sir Jos. Ward's "Parliament of Defence" proposal, 1911 (*infra*); see also Max Farrand, *The Framing of the Constitution*, chap. vii., regarding the achievement of the American solution. An arrangement of representation like that in the Canadian Senate, which seems to be advocated by Worsfold (*Empire on the Anvil*, pp. 101-102) would hardly solve the difficulty. The status of the House of Lords, being purely a domestic concern of the United Kingdom, has of course no relation to the above issue; some proponents of federation would have constituted it the Imperial upper house, but this suggestion leaves the problem of equalising representation still open.

<sup>2</sup> The American system of checks and balances, though it has certain advantages in meeting such difficulties as we are here facing, is so alien to British political habits and entails so many practical disadvantages in other respects, that it is not here discussed. It has been repudiated in the federal Dominions and in all the new Constitutions of Europe.

<sup>3</sup> E.g. statement by Lord Elgin to the 1907 Imperial Conference, Cd. 3523, p. 37; Curtis, *op. cit.* pp. 150-153.

proposal that it should follow the vicissitudes of the cabinet of Great Britain, going in and out of office on purely domestic issues, is fantastic, to say the least. The Imperial government must be entirely independent within its sphere. If, then, the Imperial legislature were to be bicameral, with an upper chamber of sufficient vitality effectively to protect the interests of the smaller governments of the Empire, to which body would the Imperial cabinet be responsible? No man can serve two masters, and although most of the legislative bodies now operating under the parliamentary system of responsibility are bicameral, the system works only because the upper houses are secondary, and the ministry considers itself answerable solely to the lower house. But, in the last analysis, all political systems operate by a process of give and take, and perhaps the actual working of such a combination of effective bicameralism and parliamentary responsibility as we have outlined would be rendered possible by that supposed racial genius for compromise in which all true Britishers believe and hence are anxious to apply upon all and sundry occasions.

Some writers have discussed with apprehension the possibility of party government in the Imperial parliament, or pronounced dogmatically on whether or not there were to be any. Popular alignments, however, are not matters for arbitrary determination, as are forms of government, and parties would inevitably develop when issues emerged to warrant their formation—in fact, in Imperial politics the parties might quite possibly be numerous, unstable, and intransigent. There might readily be a *bloc* of centralisers, analogous to the Federalists of early American history, recruited from several sections of the Empire, but standing firmly together, and opposed by a more indefinite and possibly more numerous array of local Autonomists, these two having extreme wings of Colonialists and Secessionists respectively. Again divisions might be on national lines, with a perpetual succession of loose coalitions on specific issues, or finally, one part of the Empire might be aligned against the other, as the white sections against representatives of less advanced regions, or those of the Mother Country opposing the Dominions; against the latter eventualities the Imperial litany might well contain a petition.

The effectiveness of a federal union may be largely judged by



the definiteness and completeness with which the respective spheres of central and local governments have been worked out. It is failure in this respect which not only causes constant litigation and swells the volumes of case law but also leads to acrimonious political controversies. So, in an Imperial federation, although the powers assigned to the central government might be few or many, the enumeration of such powers must be unambiguous, and the separation of Imperial from local functions definite and complete. Imperialists never appear to have contemplated more than the grant of a very few, though highly important, powers to the new government, which would have characterised it as more decentralised than any existing federal system.<sup>1</sup> Matters which all Federationists would place under the exclusive authority of the Imperial government are the conduct of foreign relations and the defence of the Empire.<sup>2</sup> Provision for defence as well as for the general conduct of the federal government would involve large expenditures, and as Sir Wilfrid Laurier clearly pointed out in the Imperial Conference of 1911,<sup>3</sup> authority to expend must not be divorced from responsibility for raising the funds such expenditures imply; the Imperial government must have independent and plenary authority to obtain by taxation the revenue necessary for the performance of its various functions.<sup>4</sup> Responsibility for foreign relations, moreover, must be coupled with control over the Crown Colonies and Protectorates.<sup>5</sup> These four powers, in addition

<sup>1</sup> In the usual type of federation, such as Australia or the United States, the national government is one of delegated authority, exercising only such powers as have been expressly granted to it or are reasonably implied in those enumerated, and the "residuary powers" resting with the states. In the more centralised type, such as Canada, the principle of distribution of powers is the exact reverse.

<sup>2</sup> E.g. Sir Jos. Ward to the 1911 and 1917 Conferences, Cd. 5745, pp. 48-49, Cd. 8566, pp. 54-55. See also G. R. Parkin, *Imperial Federation*; G. C. Cunningham, *A Scheme for Imperial Federation*; B. Worsfold, *The Empire on the Anvil*; J. S. Mills, *The Future of the Empire*; Curtis, *op. cit.*; Lash, *Defence and Foreign Affairs*. A considerable measure of devolution in the conduct of external relations essentially of local concern might well be admitted, however.

<sup>3</sup> Cd. 5745, p. 68; see also B. Holland, *op. cit.* pp. 296-297.

<sup>4</sup> This point is clearly explained by Curtis, *op. cit.* pp. 190-196.

<sup>5</sup> Z. A. Lash (*op. cit.* chap. iii) argues that responsibility for the Crown Colonies and Protectorates need not be assumed by the Imperial government, but might remain with that of the United Kingdom. It does not appear, however, that the conduct of diplomacy can safely be divorced from control over the principal stakes of that diplomacy. Furthermore, many interests vital to several Dominions are bound up with policies relating to these territories, notably Egypt; see Curtis, *op. cit.* chap. xix.

to that of determining the tenure, succession and emoluments of the Crown, already mentioned, would seem the irreducible minimum requisite for the Imperial parliament.

It is not essential that all matters deemed to be of Imperial interest should be transferred to the new government. The grant of the aforementioned powers would suffice to assure its adequate functioning, would solve the most vital Imperial problems, and would doubtless pave the way to still closer unification. Nevertheless, many Imperialist ideals would yet be unattained. The grant of power to raise Imperial revenue, for instance, does not necessarily imply authority to impose an Imperial fiscal system. One of the principal Imperialist objectives, however, was the integration, by means of an Imperial protective tariff system preferably centrally organised, of the economic life of the whole Empire, so that Greater Britain would face the world as united, powerful and self-sufficient in this respect as in any other. Yet this might be achieved by co-operative action of the local governments. There are numerous other matters which have been debated in Imperial Conference sessions, and in regard to which a large measure of uniformity in practice, even of centralised control has been striven for in many quarters. Over these the Imperial parliament might have exclusive jurisdiction, power to prescribe general principles only, or many, even most of them, might well be left under control of the local governments. Chief among such subjects are citizenship and naturalisation, migration within the Empire, immigration, currency, weights and measures, trade-marks, patents and copyright, banking, company law, trusteeship, insolvency, double taxation, postage, the development of Imperial communications, and the promotion of scientific research, education, professional standards and social legislation generally.

To aid in the assertion of Imperial powers, as well as to promote uniformity in the law of the Empire, a supreme judicial tribunal should form part of the Imperial government. Whether such a court should be vested with authority to declare *ultra vires* acts of all parliaments of the Empire which overstepped the limits defined for them in the federal scheme, or only those of the local legislatures which so offended, or should have no power save in the construction of statutes governing administrative action, is a difficult question. Allowing an appointive judiciary

to nullify acts of representative bodies is hardly compatible with the principles of popular government, and by its inevitable tendency to drag the courts into political controversies is fatal to judicial independence ; yet, without an impartial tribunal to settle controversies and keep the various governments from poaching on one another's preserves, it is hard to see how a federal system can be kept stable and serene. If the central government be final judge of its own powers (as it apparently is in the German Reich) the very existence of a genuine federation is a matter of doubt, the possibility of transformation into a mere legislative union is inherent in it. Furthermore, even where no desire for encroachment exists, doubts and divergent interpretations of powers which a court could best resolve are bound to be frequent.

To occupy the large and indefinite field of state activity not expressly delegated to the central government, the various units of the Empire would retain their existing local parliaments. Among these would be numbered that of the United Kingdom, now shorn of its Imperial functions, or separate governments might be established for England, Scotland and perhaps Wales. Moreover, as additional regions rose to the status of self-governing communities, their parliaments would join those already existing. All these Dominions would enjoy complete equality of status as against one another or the central government, and would each within its legal competence exercise an unfettered discretion. Conversely, the Imperial government must have an equally free hand within its sphere, which means it would have plenary coercive authority upon all individual residents of the Empire everywhere in regard to the matters assigned to it, without necessary recourse to any local government. Whether the Imperial government would act through its own officers in all cases, or would employ local government officials as its agents, is a subsidiary (though important) question ; in either case the control by the central government over these must be effective.

Finally comes the technique of making and amending the Imperial constitution. Wherever comprehensive changes in governmental practices have been decided upon, the new bases and principles of action seem to have involved, historically, their commitment to a formal document. There is an added necessity for such definiteness in the case of a federal system. As regards

the Empire the procedure might be more or less elaborate. Imperialists appear to have anticipated that the Conference of 1921 would resolve itself into a constituent assembly. In any case the initiative would be assumed by the Imperial Conference and their action must be ratified by all the parliaments or electorates of the Empire. After the basis of union had been agreed upon by the Conference, the actual settlement might be drawn up by a constituent body, more broadly representative of the Empire,<sup>1</sup> containing spokesmen of all parties and preferably of the major organised interests in the various countries. Penalty for failure to ratify the agreement on the part of any unit would obviously mean at least temporary exclusion from the Empire. When all these issues of public opinion had been thus settled, formal legal sanction to the reorganisation would be granted in an Act of Parliament of Great Britain, which in the same document or by separate statute would also provide for necessary devolution within the United Kingdom and for the disposition of the Crown Colonies. Amendment of the constitution of so scattered a federation as this would be difficult to provide for. Rigidity, which leaves no alternative to dissatisfaction but secession, must at all costs be avoided.<sup>2</sup> Whereas adoption of the original proposal would be by the acts of separate autonomous governments, once it came into operation, alteration should be made by the parliament and citizens of the Empire, not by its local legislatures, save in so far as the latter acted as agents of the central government for purposes of ratification.

### *Criticisms of the Federation Project*

It is patent from the foregoing discussion that in a federal scheme of organisation the new Imperial government must not only be distinct from all those of the correlative member units,

<sup>1</sup> The party complexion of the existing Imperial Conference, and its inadequacy as a constituent assembly, was noted by Sir Robert Borden at the 1917 Imperial War Conference (Cd. 8566, p. 42), and by R. Jebb in "Conference or Cabinet," *United Empire*, vol. xi. pp. 161-162.

<sup>2</sup> One writer suggests amendment by *two-thirds vote of the white electorate*, which means, of course, that the Imperial constitution would be unamendable by any means short of revolution. On the other hand, allowing amendment of the constitution by mere act of the Imperial parliament, apparently advocated by Curtis as an assurance against rigidity (*op. cit.* p. 248), would render that parliament final judge of its own powers and place those of the local units at its mercy, which would make the Empire a legislative union, not a federation.

including the United Kingdom, but that it must be self-sufficient within its sphere and fully competent to render effective all its decisions. It must not labour under the inherent weakness of a confederacy which Alexander Hamilton, referring to the then government of the United States, so aptly pointed out : " The great and radical vice in the construction of the existing confederation is in the principle of legislation for states or governments in their corporate or collective capacities, and as contradistinguished from the individuals of which they consist." <sup>1</sup> It does not appear how a genuine or even workable scheme of Imperial federation could be established unless it provided against this handicap. No less comprehensive readjustment would obviate the practical objections for which all the half-way proposals (such as those for an Imperial council, either legislative or merely advisory) which were most bruited during the discussion were justifiably condemned. The inevitableness, under a federal scheme, of granting coercive powers to the central government was rather grudgingly admitted by Sir Joseph Ward at the 1911 Conference, under questioning by Sir Wilfrid Laurier and Mr. Asquith.<sup>2</sup> How the importance of this consideration has been enhanced by recent experience was pointedly indicated by Mr. Jebb. He claims that :

<sup>1</sup> *The Federalist* (Everyman ed.), No. 15, p. 69.

<sup>2</sup> " SIR JOSEPH WARD: In reply to Sir Wilfrid Laurier, Mr. Asquith, the point I want to make clear is this. It is quite true that any of the oversea Dominions to-day may give a contribution ; but they may withhold it ; and it is quite true that in the event of any portion of the British Empire being drawn into a war, that one portion of the Empire might say, ' I am not going to take part in it,' and they need not give a contribution, although under international law I think they could not avoid having the responsibility of being a belligerent put upon them. What I want to bring about is a uniformity of system for the preservation of the whole of our oversea interests.

" SIR WILFRID LAURIER: That is to say, the Imperial Council could compel us.

" SIR JOSEPH WARD: We should fix a basis upon which a contribution should be levied for sea defence in the general interests of the whole.

" THE PRESIDENT: Your suggestion is that the Imperial Council, unless it is to be a mere academic thing, is to have the power of imposing that obligation ?

" SIR JOSEPH WARD: Quite so.

" THE PRESIDENT: Even on a dissentient Dominion ?

" SIR JOSEPH WARD: Mr. Asquith, at the present moment if England went to war all the oversea Dominions are directly affected by the results and that could happen without the slightest reference to either an assenting or a dissenting Dominion.

" THE PRESIDENT: We cannot get a contribution to the Navy without the assent of the Dominion.

" SIR JOSEPH WARD: But you can involve them in war " (Cd. 5745 pp. 54-55).

. . . If anything, the old difficulties of the scheme have only become accentuated by Mr. Curtis's expedients for meeting them. In particular, the experience of the war has now demonstrated that no central government could be endowed effectively with the sole power to carry on war without having authority to control the whole civil life of the federated states. It has become abundantly clear that—even apart from military affairs—the minimum powers requisite for an Empire super-state would be incompatible with the free national development of the peoples subjected to its authority. However cleverly disguised with the language of liberty, Imperial federation can only be a system of subordinating each part of the Empire (with the possible exception, in practice, of Britain, by dint of her preponderant population) to the control of the remainder. The essence of the scheme is not national liberty but Imperial government.<sup>1</sup>

The inevitable grant of coercive power to the Imperial government, the probable transfer to it of certain functions erstwhile within the competence of the local legislatures, and the assured preponderance for an indefinite period of United Kingdom representation in the central parliament—these raised what Sir Joseph Ward termed “the bogey of local autonomy,”<sup>2</sup> which effectively damned the whole project. In short, in view of these considerations, especially that last mentioned, anti-federationists refused to admit any distinction between the situation in which they would find themselves under the system advocated by the Imperialists and that of the old relation of dominance and subordination from which they had escaped. Local autonomy has been the great bugbear in the achievement of all federations. Only the *machtpolitik* of powerful nation-wide interests, under outstanding leadership, convinced of the inadequacy of existing arrangements, and aided in the securing of popular support by such factors as the more or less complete breakdown of internal government and the existence of an imminent foreign menace, has been able to overcome it. In the case of the Empire these elements have proved powerless in face of the legacy of Little-Englandism. The crucial relation of local autonomy to the issue of Imperial federation has been constantly adverted to

<sup>1</sup> *United Empire*, vol. xi p. 163. In the present writer's opinion, this prospect is much exaggerated. Such regimentation is doubtless inevitable; but under any of the Imperial federation schemes suggested, it could only be effected by action of the local units, the incentive in their case arising from the emergency itself. The central government would not be in a position to work any such extensive usurpation of authority as is here threatened.

<sup>2</sup> To the 1917 Imperial War Conference, Cd. 8566, p. 51.

during the discussions. For instance Sir Frederick Pollock, in advancing his famous advisory Imperial council proposal in 1905, said :

As for any kind of formal constitution, it assumes the consent of several independent legislatures, and involves a considerable modification of their existing authority. I am not aware of any reason for thinking that the Parliament of the United Kingdom would easily be persuaded to reduce itself by solemn act to a mere state legislature, or that the Colonial governments would be willing to surrender any substantial part of their autonomy to some new federal senate or council. All the information at our disposal goes to show that nothing of the kind has any chance of being accepted, or even of seeming plausible enough to induce any Ministry to take it in hand.<sup>1</sup>

During the discussion of Sir Frederick's paper Hon. B. R. Wise (New South Wales) gave the gist of the difficulty. "It is an effort," he said, "to reconcile two apparently conflicting elements—the element of the largest possible extension of self-government with the element of the supremacy and strength of the central authority. No scheme can be effective which does not reconcile these two."<sup>2</sup>

In denouncing the idea of federation, Autonomists in the Dominions emphasised both the invasion of their local privileges which the coercive authority of the central government would imply, and the added obligations which the new basis would impose upon them—obligations in their view far more tangible than those to which they were liable even under their existing ambiguous circumstances. Early in his career Sir Wilfrid Laurier took a stand upon this issue which he saw no reason subsequently for changing. He said :

I do not believe in Imperial federation. If Colonists are to be represented at Westminster in the same way that Englishmen, Irishmen, and Scotchmen are represented, then of course Colonists must assume the duties and responsibilities which are borne by Englishmen, Irishmen, and Scotchmen to carry on the wars which are almost perpetually engaged throughout the civilised and uncivilised world. I think these are consequences before which the people of Canada will recede.<sup>3</sup>

This attitude, reinforced by a realisation of the preponderance which the United Kingdom would enjoy in the central parlia-

<sup>1</sup> Royal Colonial Institute *Proceedings*, vol. xxxvi. p. 292.

<sup>2</sup> *Ibid.* p. 310.

<sup>3</sup> In the Canadian House (April 7, 1892) ; quoted in Ewart, *Kingdom of Canada*, p. 157.

ment, was still more bluntly stated by Sir George Reid, Australian High Commissioner, to the Toronto Empire Club in 1912, as follows :

You know the people over the border—I don't know how many years ago—were taxed by the British Parliament in a way which they did not like, with results which we did not like. Let us suppose that in the Imperial parliament you have sixty members, one for each million of the British race. You would have six, or seven, or eight ; we would have four or five. Supposing the six or seven were enamoured with a system of taxation which might not perhaps commend itself to Australia, and suppose the five Australians, with the whole Australian people behind them, were strongly opposed to that system, would it promote the harmony of the British Empire if the Imperial tax-gatherer enforced upon Australia that tax ? Would not we get dangerously near the disasters from which the Empire has already escaped ? I have only mentioned these little things ; these are the little conundrums I want you to consider.<sup>1</sup>

Imperialists ordinarily admitted that a partial surrender of local autonomy was involved, but arguing from familiar analogies, aimed to show that the compensating advantages far outweighed this objection. Thus the late Sir William Peterson of McGill University reasoned with Canadian business men :

Nothing is to be tolerated, they will say, that limits or prejudices the autonomy of the Dominion. How is it with business partnerships ? The man who goes into partnership with others is not quite as free an agent as he was before he signed his articles ; he has accepted in the common interest certain limitations on his freedom. It is the same with nations. Interdependence is the ruling principle of all partnerships, not independence : but equality of status need not thereby be prejudiced in any way. . . . To me it has always appeared, in regard to this and similar issues, that the main consideration is or ought to be the following : Are we, or are we not, in partnership with the parent-state ? If we are not, we can have all the autonomy that is insisted on by some : if we are, then our liberty and complete freedom of action must be to some extent limited and circumscribed by the very fact of the

<sup>1</sup> *Empire Club Speeches* (1912-13), p. 10. Mr. Ewart has stated his position in characteristic fashion as follows : " If there is to be a federal legislature, there must necessarily be assigned to it some subjects in respect of which it may legislate. But Canadians are absolutely determined that for the future they are going to make all their own laws. With immense difficulty we have acquired that right in almost complete form. And ' what we have we'll hold.' None of it shall go back to Westminster or to Downing Street. Our federal legislature is at Ottawa, and there it shall remain. There is, therefore, nothing for any Imperial federal parliament to do ; and Imperial federation without an Imperial parliament remains, as it always was, a dream " (*The Kingdom of Canada*, p. 26).



partnership. . . . We cannot have it both ways. If we are to remain in partnership with the other component States of the Empire, we cannot be so independent as we might be if we were not in partnership. It seems to me that the recognition of this simple truth would do a great deal to prevent misunderstanding and to clear the ground for future progress.<sup>1</sup>

At the 1917 Imperial Conference, however, Sir Joseph Ward dared to question the validity of the whole contention. He maintained :

In the discussion of any system which might be created with a view to governing Empire matters, not the internal affairs of the Empire, as I fear from General Smuts' remarks he fears, but the overriding vital Empire matters that the local governments cannot deal effectively with on their own account and of their own action, I regard the proposals as of supreme importance from the point of view of having some organisation in existence that is going to be able to do the things that the individual countries cannot do themselves.<sup>2</sup>

That is, the New Zealand Finance Minister refused to admit that local autonomy was involved at all, for no existing government was competent to handle these matters. Certainly those of the Dominions could not, nor could that of the United Kingdom, unless a continuance of the old Colonial relationship were to be admitted.

Local autonomy was the crux of the problem. The practical difficulties relating to Imperial machinery which have been adverted to, although serious enough and accorded ample attention throughout the discussions, were none of them insoluble, provided there existed the will to find a way.<sup>3</sup> This had been amply demonstrated in the history of other federations, and a

<sup>1</sup> *Canadian Essays and Addresses*, pp. 70, 96.

<sup>2</sup> Cd. 8566, p. 51.

<sup>3</sup> The geographical dispersion of the Empire and the consequent waste of time imposed upon Ministers in travelling from Australia, New Zealand, or South Africa to London has been a foremost obstacle to Imperial co-operation under the existing Conference system. Actually, however, it would lose most of its force under a system of Imperial federation. The difficulty at present lies in the dual responsibility of Ministers for the conduct of Dominion affairs at their own capitals and of consulting periodically on Imperial matters in London. Federation would divorce these two sets of functions and entrust them to entirely different individuals. True, members of the Imperial parliament would have to be good travellers, but there would be no obstacle to their attending annual sessions at the Imperial capital, for the conduct of the local governments would be in other hands. Furthermore, the factor of distance is being steadily reduced by continuous improvement in modern methods of transportation.

wealth of experience lay ready to hand should the stage of constitution-making ever be reached. It was on the principle of Imperial reunion itself that the project foundered. Certainly this issue warrants some analysis. In what respects, and to what extent, would Imperial federation have involved encroachment on or curtailment of the powers of the self-governing units of the Empire? It should be borne in mind in this connection that the issue was fought out during the dozen years or so just preceding the Great War, and hence should be considered in the light of the bases of Imperial relationship recognised at that period, and furthermore, that the powers which it was proposed to transfer to the new Imperial government and which therefore were involved in the controversy, comprised merely the conduct of foreign relations, provision for Imperial defence, the imposition of an Imperial tariff (to the extent at least of providing revenues for defence purposes and a measure of economic differentiation from foreign nations generally) and probably, also, the government of Crown Colonies and Dependencies.

Approaching the question first from the point of view of the Mother Country, it will be noted that, save as regards the third matter, the prevailing system was still thoroughly Colonialist. The Mother Country monopolised control in foreign policy and her right to commit the whole Empire on her sole initiative was as yet unquestioned. Correlatively she assumed full responsibility for furnishing and directing the defence of all her territories, with the addition of such assistance as might be rendered by the Dominions. Imperial federation would have implied the acceptance on her part of a proportionate sharing with the Dominions of the direction of foreign policy and defence strategy on the one hand and of the defence burden on the other. The latter would have been entirely to her advantage. The former would have involved a limitation of her discretion, compensated, it is true, by relief from the liability, ever present under existing circumstances, of facing the charge from the Outer Empire that the interests of the whole were being subordinated to those of the United Kingdom. Certainly this curtailment of authority would have been much less real than that which has ensued from the operation of principles adopted within the last three or four years regarding the conduct of foreign affairs, whereby the control of the Home Government has been restricted in effect to matters

touching the United Kingdom only, while the responsibilities of Imperial defence remain substantially undiminished. Throughout the earlier period, however, this outcome was assuredly not anticipated in official quarters in Britain. Colonialism and Nationalism there combined to call forth Mr. Asquith's ultimatum of 1911, "that authority cannot be shared," and the Imperialist solution was conclusively rejected.

These two sentiments united even more forcibly as regards the fiscal issue. In this case the sacrifice demanded of Britain was probably as real as it seemed, and the prospect which the post-war situation has vindicated was as yet the vision of a few Imperialist tariff reformers. Suggestions that the Mother Country should revolutionise her fiscal policy in the Imperial interest were regarded by Colonialists as mere effrontery and by Nationalists with the same politico-economic aversion that free trade proposals would have been received by the Canadian Manufacturers' Association. Devotion to "local autonomy" in Britain alone would have sufficed to dispose of the federation issue. Whether this emphasis at the time was merely short-sighted, whether the real sacrifice on the part of the Mother Country was not that which was rejected, but rather that which was made when the door was "banged, bolted and barred" to Imperial preference overtures in 1907, is another question.

In the case of the Dominions Sir Joseph Ward's contention should have carried much weight. Untrammelled self-government was narrowly restricted to their domestic concerns, and such external relations as had been devolved upon them were still conducted under maternal supervision. 'There was a wide range of vital interests in regard to which the Home Parliament, though obviously not representative of the Empire, yet presumed to speak for it. In one important respect only did the sphere outlined for the Imperial government really impinge upon a power fully devolved upon the Dominions, namely, their fiscal autonomy. Yet the nature and extent of the fiscal jurisdiction which it would actually have been necessary to vest in the central authority should have called for more adequate popular analysis. On first thought the suggestion that a parliament thousands of miles distant and in which the influence of the United Kingdom predominated should have the power to tax the people of the

Dominions and interfere with their tariff policies seems revolutionary. The establishment of the Imperial free trade originally contemplated by Joseph Chamberlain, it is true, would have been subversive of Dominion fiscal projects. But the arrangement of reciprocal preferential tariffs, as has already been pointed out, might well remain entirely within the purview of the local governments. The mere power to raise sufficient revenue for purposes of defence and administration would at least have been an adequate minimum, and if this alone were involved, it is difficult to see how the consequent invasion of local autonomy could have constituted a real grievance.<sup>1</sup> The fundamental distinction between the principles of protection and revenue is popularly ignored in tariff discussions, but is crucial in the present instance, owing to the essentially different degree of regulation of commerce and industry which is implied. Protective tariffs are designed to mould economic life ; the others are not. The actual sacrifice in additional taxation for Imperial purposes has been shown to be inconsequential, and the consumer's insensibility to the burden of indirect levies is a truism of public finance. If some such expedient as the Hofmeyr project of a uniform Imperial surtax were adopted, the administration thereof would doubtless be left with the local governments.<sup>2</sup> Despite these considerations, the principle at stake was made to appear a vital one and the economic interests roused to activity thereby were among the most influential in the Empire.

If there may have been grounds for objection in the name of local autonomy to the proposed grant of taxing power to the Imperial government, certainly no valid case could be adduced on this score regarding the other matters. There was no question but that the Dominion legislatures were incompetent to deal with them on their own account and that the Home Parliament was too unrepresentative a body to be justified in the continued exercise of the authority it wielded. An Imperial federal parliament would have done for the Dominions what they could not do for themselves. It would have afforded them the constitutional right to an effective voice in the determination of Imperial policies,

<sup>1</sup> This subject is thoroughly discussed in Curtis, *op. cit.* chaps. xvi.-xviii.

<sup>2</sup> Far from implying a menace to local autonomy, the weakness of such a scheme affects rather the central authority, since the local governments, by their control of the *relation* between Imperial and local tariff rates, could menace federal sources of revenue.

and have furnished them with the machinery for making real their altogether inadequate advisory participation. It would have meant, not a curtailment, but a marked enhancement of their powers of self-government in these respects. Why then should they have preferred a continuance of the Colonial relationship as regards defence and foreign affairs, and have invoked the issue of local autonomy against an offer to admit them to participation in the settlement of their destinies? The answer apparently is that the blocking or deflection of the course which the development of Imperial relations had been steadily pursuing was a more serious consideration than the actual deprivation of substantive powers which federation would have involved, that in the minds of men like Sir Wilfrid Laurier abrogation of potential rights rather than more immediate factors has been the determinant. That is, the "bogey of local autonomy" as it appears in connection with defence and foreign affairs concerns putative rather than actual self-government. If this be the explanation, it would admit the validity of Sir Joseph Ward's contention as far as it goes, and also account for the decisive reaction of the anti-Federationists.

It was after all an exceptionally beneficent Colonial status which the Dominions enjoyed, one which induced a correspondingly complacent and irresponsible attitude on their part toward world affairs. Regarding every aspect of the day-to-day existence of their inhabitants complete self-determination reigned, in fact as far as the average citizen's experience went they might as well have been fully independent nations. Until the outbreak of the Great War brought sudden realisation, the liabilities entailed by the Imperial connection never rose above the Colonist's horizon, nor was there ever occasion for him to reflect upon the source of the tranquillity which he had thus far accepted as a matter of course, or upon the probable circumstances of his country should it be left in independent isolation. Under such a régime the bulk of the population thought only of their relations with the Home Government and readily accepted the theory formulated for them by the ultra-Nationalists, that the nature and extent of Imperial obligations, if any, were entirely for themselves to determine. According to the Home Government a voice in the matter was repudiated as tyranny, and that foreign Powers might interpose their views in a crisis, if considered at all, was

immediately flouted. Of the small section actively interested in the Britannic Question, only the Imperialists weighed these alternative factors and based their conclusions upon them.

Both Imperialists and Nationalists repudiated Colonialism, it is true. But the solution which the former offered to the apathetic majority in the Dominions was to supersede a Colonial status which weighed lightly upon them and forestall possible developments which they would not appreciate, by inviting them to undertake active obligations imposed by a new and distant government in which they could exercise only a proportionate weight of influence. The distinction between this prospect and an actual invasion of substantive rights of local self-government was too obscure for their perception. Hence proponents of the local autonomy argument could hardly have asked a more favourable situation; to the bulk of the population the contention appeared very real, and all efforts to meet it by analysis seemed the merest sophistry. The Nationalists, on the other hand, were determined upon the road they too would follow, even if their goal were more distant and nebulous than that of the Imperialists. They visualised a mere withering away of the Imperial government of the Colonial era, not its supersession by a representative central authority; in short, the eventual solution of the Britannic Question by the complete devolution upon the Dominions of the remaining prerogatives of Downing Street. There was no cause for haste, for drawing attention to the existence of anomalous obligations by gratuitous discussion of them during a period of seeming tranquillity. There was, however, if the existing (and to them satisfactory) course of development were not to be diverted, the need of constant watchfulness in order to frustrate all moves in the contrary direction, the taking of any measures calculated to stem this process of devolution and which, by making the Imperial authority more representative, would tend to weaken the very argument upon which they must increasingly rely. "Local autonomy" was invoked in order to safeguard the progressive extension of that autonomy.

Under the circumstances small purpose can be served by a survey of the various arguments for and against Imperial federation. The essential fact is that participants in the controversy failed to meet on common ground. Once the basic assumption

of the Imperialist is admitted—that the maintenance of Imperial integrity is a good in itself, and that the local is bound up in and should be subordinated to the Imperial interest—his argument becomes virtually unanswerable. If the integration of the Empire is accepted as the desideratum, certainly federation would be at once the most effective and equitable basis for achieving it. It would be much superior in both respects to either the Imperial overlordship of the colonial system, or the loose co-operation of a confederacy, in which united action is hampered in the one case by lack of machinery for securing active consent to coercive measures, and in the other because the basis of union puts a premium upon dilatoriness on the part of the member governments. Furthermore, in view of the success of the American experiment, Imperial federation did not seem to him chimerical. The individual citizen need not fear submergence of his political influence, since the population actually to be affected by the reorganisation would be much less numerous than that of the United States. Granted that there was greater diversity of interests in the Empire, owing to its geographical dispersion, this would be amply met by the far greater degree of autonomy retained by the local governments than in the American Union. Provided the ends the Imperialist had in view were sincerely endorsed, there was no question but that the means he advocated were from both theoretical and practical standpoints eminently the most desirable.

The Nationalists, in contrast, flatly denied that the integration of the Empire was in itself desirable, and therewith rejected the whole basis of the Imperialist argument. The bulk of them, however, did not share the indifference of their more extreme associates toward the ultimate fate of the Empire, in fact they were as vocal as the Imperialists in expressing devotion to it in the abstract. Hence they advanced specific objections to Imperialist proposals and ridiculed the practicability rather than the desirability of federation, thus frequently giving to the discussions the appearance of involving mere differences of opinion regarding the means appropriate for attaining a common aim. Nevertheless, since they visualised mere friendly co-operation among quasi-independent nations, rather than that effective integration which in the Imperialist view would alone preclude disruption, a common basis for argument was after all essentially

lacking. The more serious contentions of the Imperialists were not squarely met. The ministerial responsibility bogey, for instance, was an excuse rather than a reason ; the relation of local autonomy to federation was merely asserted, not examined ; the claim that federation would immeasurably enhance the status of the Dominions and their inhabitants by making them greater parts of a greater whole was ignored ; in short, the Imperialist's portrayal of the future he envisioned merely left the Nationalist cold, neither victor nor vanquished in discussion.

### *Federation Schemes and their Reception*

The projects of Imperial organisation advanced during the past century have been legion. While some have been utterly fantastic and a few have been thoroughly adequate and practicable, most of them have been tentative partial suggestions, and virtually all have been purely academic. Fortunately it is necessary to consider only those proposals which have engaged the attention of the Imperial Conference and so may be said to have entered the arena of practical politics. These comprise : Mr. Chamberlain's suggestion of an Imperial Council with legislative and executive authority, which he advanced at the sessions of 1897 and 1902 ; the advisory Imperial Council project launched almost simultaneously in April 1905 by Sir Frederick Pollock before the Royal Colonial Institute, and by Colonial Secretary Lyttelton in his notable despatch, and sponsored by Australia, New Zealand and Cape Colony in the Conference of 1907 ; Sir Joseph Ward's "Parliament of Defence" scheme which he submitted to the 1911 Conference, and the ancillary proposals for an Imperial Commission, permanent Imperial Secretariat, and Standing Committee of the Conference advocated in connection with the Council suggestion. Of these only Sir Joseph Ward's embodied the requisites of a thoroughgoing federal organisation ; the others were projected as "entering wedges" for something more substantial as soon as the way should open for it. All of them, however, implied a definite step toward closer union, so that in passing upon them the Premiers recorded an unmistakable verdict upon the principle of Imperial federation itself.



## MR. CHAMBERLAIN'S PROPOSALS (1897 AND 1902)

The leading project which has been advanced as a stepping-stone to more genuine federation of the Empire has been the establishment of an Imperial council. Such a council might have been either of two kinds—one endowed with actual legislative and administrative authority, or else one exercising merely consultative and advisory functions. The former would probably have meant a real if halting experiment in Imperial federation, although the details do not appear to have been sufficiently worked out to reveal just how it would implement its decisions. The latter would have been no more than the central organ of a confederacy, a sort of continuous Imperial Conference, and could not have been regarded by the Federationists as other than a mere opening gesture. The legislative council was what Mr. Chamberlain seems actually to have had in mind in 1897 and 1902. In presenting his proposal to the Conference of 1897, the Colonial Secretary said :

It might be feasible to create a great council of the Empire to which the Colonies would send representative plenipotentiaries, not merely delegates who were unable to speak in their name without further reference to their respective governments, but persons who by their position in the Colonies, by their representative character and by their close touch with colonial feeling, would be able, upon all subjects submitted to them, to give really effective and valuable advice. If such a council were to be created, it would at once assume an immense importance, and it is perfectly evident that it might develop into something still greater. It might slowly grow to that federal council to which we must always look forward as our ultimate ideal.<sup>1</sup>

In proposing first such a council instead of the full-fledged machinery of a federal government, there lies a somewhat illusory strategic advantage. The scheme looks very elementary and hence innocuous.<sup>2</sup> But that very incompleteness which led Federationists to fix upon it as their first step renders it less able to meet the fundamental criticisms of its opponents. Small enough really to deliberate and act, such a council is too small and simply constructed an organ to be thoroughly representative, or to furnish any safeguards against the preponderance enjoyed

<sup>1</sup> C. 8596, pp. 5-6.

<sup>2</sup> "Of all Mr. Chamberlain's proposals the most insidious and dangerous was the suggestion of an Imperial council" (J. S. Ewart, *op. cit.* p. 217).

by the United Kingdom in it. Its main assets would have been prestige, and the power indirectly accruing from the influence of its members in the several governments of the Empire, for it seems certain that its main reliance in carrying out its decisions would necessarily have been the active co-operation of those governments. These considerations, however, seem to have borne less weight with Imperialists than that of its inviting simplicity.

Mr. Chamberlain's fond hopes were embodied in his opening address to the 1897 Conference. The immediate results are thus summarised in the report of their proceedings :

On the question of the political relations between the Mother Country and the self-governing Colonies, the resolutions adopted were as follows :—

1. The Prime Ministers here assembled are of the opinion that the present political relations between the United Kingdom and the self-governing Colonies are generally satisfactory under the existing conditions of things.

Mr. Seddon and Sir E. N. C. Braddon dissented.

2. They are also of the opinion that it is desirable, whenever and wherever practicable, to group together under a federal union those Colonies which are geographically united.

Carried unanimously.

3. Meanwhile the Premiers are of the opinion that it would be desirable to hold periodical conferences of representatives of the Colonies and Great Britain for the discussion of matters of common interest.

Carried unanimously.

Mr. Seddon and Sir E. N. C. Braddon dissented from the first resolution because they were of the opinion that the time had already come when an effort should be made to render more formal the political ties between the United Kingdom and the Colonies. The majority of the Premiers were not yet prepared to adopt this position, but there was a strong feeling among some of them, that with the rapid growth of population in the Colonies, the present relations could not continue indefinitely, and that some means would have to be devised for giving the Colonies more voice in the control and direction of those questions of Imperial interest in which they are concerned equally with the Mother Country.

It was recognised at the same time that such a share in the direction of Imperial policy would involve a proportionate contribution in aid of Imperial expenditure, for which at present, at any rate, the Colonies are not prepared.<sup>1</sup>

<sup>1</sup> C. 8596, p. 15.

The significance of these resolutions in the history of the federation project lies in the coercive authority with which Mr. Chamberlain would certainly have clothed this proposed Imperial organisation, in the fact that notwithstanding this implication Messrs. Seddon and Braddon<sup>1</sup> looked upon the proposal with some favour, and in the fact of Canadian dissent from the proposition, which revealed the operation of forces and tendencies which were later to develop throughout the Empire, and prevail in subsequent considerations of the problem.

Apparently chastened by his experiences in 1897, yet encouraged by the attitude of the Dominions during the South African war, Mr. Chamberlain again advanced his Imperial Council proposal in the 1902 Conference.<sup>2</sup> His tone was less confident than before, in fact slightly apologetic for his vision, and much less marked by Colonialism. Although he stated in unambiguous language his conviction that an Imperial council, with executive and even legislative functions, was the proper solution, yet he was more reconciled to a gradual realisation of his hopes, as through an advisory council first. He made it abundantly clear, however, that participation by the Dominions in the counsels of the Empire was conditioned on a proportionate assumption by them of Imperial defence burdens. He admitted the difficulties in the way, but reminded his hearers of what had been achieved in the case of the United States, Canada and Australia. Meanwhile he begged that the Conference should make no move which would bar the road to Imperial federation later. "We have no right," said he, "to put by our action any limit to the Imperial patriotism of the future." The Colonial Secretary set forth his suggestion regarding federation as follows :

I have always felt myself that the most practical form in which we could achieve our object, would be the establishment or the creation of a real council of the Empire to which all questions of Imperial interest might be referred, and if it were desired to proceed gradually, as probably would be our course—we are all accustomed to the slow ways in which our Constitutions have been worked out—if it be desired to proceed gradually, the council might in the first instance be merely an advisory council. It would resemble, in some respects, the advisory council which was established in Australia, and which, though it was not wholly successful, did nevertheless pave the way for the complete

<sup>1</sup> Prime Ministers of New Zealand and Tasmania respectively.

<sup>2</sup> Cd. 1299, pp. 3-4.

federation upon which we now congratulate them. But although that would be a preliminary step, it is clear that the object would not be completely secured until there has been conferred upon such a council executive functions, and perhaps also legislative powers, and it is for you to say, gentlemen, whether you think the time has come when any progress whatever can be made in this direction.

The only recorded reply of the Conference to his efforts, however, was a resolution of very different purport :

That it would be to the advantage of the Empire if Conferences were held, as far as practicable, at intervals not exceeding four years, at which questions of common interest affecting the relations of the Mother Country and His Majesty's Dominions over the seas could be discussed and considered as between the Secretary of State for the Colonies and the Prime Ministers of the self-governing Colonies. The Secretary of State for the Colonies is requested to arrange for such Conferences, after communication with the Prime Ministers of the respective Colonies. In case of any emergency arising upon which a special Conference may have been deemed necessary, the next ordinary Conference to be held not sooner than three years thereafter.<sup>1</sup>

One is tempted to believe that the importance in the evolution of the Empire of the deliberations of Imperial Conferences has been in inverse ratio to the fullness with which their proceedings have been reported to us. Save in the case of the sessions of 1887, 1894, 1907 and 1911, little but the opening addresses, a bald statement of the subjects discussed, and the text of the resolutions passed has been left to the historian. In view of the obvious efforts to preserve an appearance of unanimity which the more adequately recorded proceedings show, it is safe to assume that important differences of opinion developed at many of the others.<sup>2</sup> It is significant, in the light of the political situation then existing in Canada, that, in the case of the 1902 Conference, the veto of publicity came from Sir Wilfrid Laurier.<sup>3</sup> However indecisive it may have seemed at the time, in retrospect the weight of external evidence seems to point to the conclusion that the Imperial Conference has held no more crucial session than that of 1902. Certainly marked changes in Imperialist campaign strategy followed it. On this occasion Mr. Chamber-

<sup>1</sup> Cd. 1299, p. ix.

<sup>2</sup> It should be noted, however, that as regards the Conference sessions subsequent to that of 1911, the prominence assumed by issues of foreign policy in their deliberations added a strong incentive to rigid censorship.

<sup>3</sup> Colonial Conference 1902, "Correspondence Relating to the Publication of Proceedings," Cd. 1723.

lain made his definitive effort for the achievement of Imperial federation. With a concrete emergency to back his argument, and war fervour to pave the way for it, the Colonial Secretary addressed himself to the assembled Premiers. He was met, however, by Sir Wilfrid Laurier's immutable determination. When chided by the Opposition in the Canadian House for his cool reception of Mr. Chamberlain's overtures, the Premier had made his position clear :

In our estimation, and I believe in the estimation of the honourable gentlemen who sit on this side of the House, and in the estimation of the Canadian people at large, the relations which to-day bind Canada to the Motherland cannot be improved, at least I do not see how. . . . Nothing has taken place since 1897 which would induce me, at all events, to change my mind, or would suggest any way by which those relations might be improved. The basis upon which the British Empire rests, the basis upon which it has grown, has been the local autonomy of all its constituent parts, and I do not see that anything can be done at the present time which would warrant a change in that basis in any way whatever.<sup>1</sup>

From this standpoint the status of the federation issue henceforth could be changed only by a radical alteration in the circumstances of the Empire, and throughout his career Sir Wilfrid refused to admit that such a change had intervened. Such being the situation, the task of the Imperialists was indeed a heavy one.

On the face of the record, however, the results of the discussion of Imperial federation during the period 1897-1902 were inconclusive, and Imperialist hopes were not quenched. It is true that the idea of an Imperial council with coercive powers had been rejected, or at least pronounced premature, and that the official Canadian attitude on the whole principle had been unmistakably expressed, yet the ways to a solution of the problem in that direction did not seem definitely closed, nor could the probable lines of eventual settlement as yet be clearly distinguished. There was a visible desire to get rid of Colonialism, but whether the road was to lead to Imperialism or Nationalism was not yet settled by any general agreement. The situation, in short, was this : The device of a legislative council having been unfavourably received, it was incumbent upon Imperialists to

<sup>1</sup> Canada, *House of Commons Debates*, session 1902, col. 2740 (April 15, 1902).

advance a less radical proposition which might stand a better chance of acceptance, for some central machinery, devoid of coercive features, yet which by educating the peoples of the Empire in common action, might prepare the ground for a revival of the original idea. Hence between the submission of Mr. Chamberlain's proposals and that of Sir Joseph Ward in 1911, the significant projects embodied advisory councils only. Chief of these were that suggested by Sir Frederick Pollock's Committee in 1905, that contained in Alfred Lyttelton's despatch of the same year, and the proposal of Australia, New Zealand and Cape Colony in the 1907 Imperial Conference.

#### THE POLLOCK-LYTTELTON PROJECT (1905)

The Imperial Conference had already held four sessions,<sup>1</sup> but was as yet an intermittent and rather inchoate institution. That or the Privy Council of the United Kingdom, of which leading public men in the Dominions were already members, would be logical starting points. The desiderata which developed in discussions were that the personnel of the council should be such as to ensure increasing prestige and influence and that, nevertheless, it should be empowered merely to consult and advise, thus avoiding encroachment on the autonomy of any part of the Empire or interference with the responsibility which its members would severally owe to their respective parliaments, whether in the United Kingdom or in the Dominions.<sup>2</sup> Furthermore, as provisions for the continuity of the body and for furnishing it with necessary information were of prime importance both to the immediate effectiveness of the council and in view of the hopes of what it was to become in the future, a permanent staff was necessary to attend to the minutes, correspondence, and maintenance of contacts during the intervals between sessions. For the same reasons neither the council nor its secretariat should be adjuncts of any government department in the United

<sup>1</sup> The present writer adopts Mr. Jebb's nomenclature here, and terms the Conference "Imperial" throughout, despite the fact it was technically called "Colonial" prior to the session of 1907. See Jebb, *Imperial Conference*, vol. i. Preface, p. viii.

<sup>2</sup> Unless the central body were a genuine federal council or parliament and not merely that of a confederation, the several members, of course, must remain politically responsible to their respective legislatures.

Kingdom, but an entirely independent organ.<sup>1</sup> In the light of these objectives, therefore, the discussions of the period centred mainly upon the constitution of the Imperial Conference, the provision of a permanent secretariat for it, and the reorganisation of the Colonial office.

The Imperial Council scheme, prepared by Sir Frederick Pollock's Committee, was enunciated by him to the Royal Colonial Institute with considerable solemnity on April 11, 1905.<sup>2</sup> After stating their belief that "no mere commercial arrangement would be sufficient, and no formal constitution-making is practicable," he outlined its three main features—a representative Imperial council with advisory functions, a permanent secretariat, and a standing Imperial advisory commission of experts to act as a general intelligence department. He suggested that the constitutional status of the council should be that of a committee of the King's Privy Council, hence a dignified and important body not attached to any administrative department; a mere departmental committee would be useless. Its President should be the British Prime Minister, certainly the Colonial Secretary should not preside. Its composition would be determined by the matter in hand; it would be small enough for the transaction of confidential business, and allow an elasticity not possible in a formally elective body. Members of the Opposition might be included and the attendance of non-member experts secured. A nucleus already existed in the 1902 Conference of Prime Ministers, who were already Privy Councillors. Whether there was to be standing or occasional delegation to the Imperial council would be left to each government to decide. In its activity :

It would not meddle with the art of war, which is already well taken in hand by the Committee of Imperial Defence, though it is quite possible that useful communications might pass between the two bodies. Its province would be questions involving matters of Imperial interest not confined to any one Colony or Dependency, and not capable of

<sup>1</sup> Sir Frederick Pollock's excellent summary of these requisites holds true for the other advisory council schemes as well; see *Royal Colonial Institute Proceedings*, vol. xxxvi. pp. 293-294.

<sup>2</sup> This proposal was formulated, said Sir Frederick, during three years of consideration and a year and a half of more active discussion, by an anonymous committee of about fifty, formed to carry on the work of the Imperial Federation League. Preliminary statements appeared in the *London Times*, Oct. 17, 1904, and Feb. 9, 1905. For the complete proposal, see *Royal Colonial Institute Proceedings*, vol. xxxvi. pp. 288-304.

being disposed of by action of the Colonial Office or any other single department of State.

That is, it would confine itself to what Sir Joseph Ward later called the "overriding vital Empire matters" and not poach upon existing bureaucratic preserves. Its functions would be purely consultative and advisory :

It must be clearly understood that no proposal is now made either to bind any Colonial government beforehand to the acceptance of any decision which it has not specifically approved, or to interfere with the power and duty of the King's Ministers here to take prompt and decisive action, at need, on their own responsibility.<sup>1</sup>

At this point the speaker anticipated certain objections, which, since they have become typical, had best be noted here. First, the proposal added to the already great burdens of the British Prime Minister. No, said Sir Frederick, he could not be more responsible for Imperial policy than under existing arrangements, the weak point of which was leaving matters to settle themselves until a crisis arrived. The second was the large discretion allowed the Premier in deciding the composition of the Imperial council. True, but it must be elastic, and the body was too important a one for there to be danger that this power would be abused. Third, the council had no positive authority, hence no defined responsibility. This was a plausible objection, but he pointed to the excellent work done by the Committee of Imperial Defence and the Colonial Defence Committee under similar conditions.

Sir Frederick then proceeded to consider the problem of devising representative machinery for securing continuous contact between the various parts of the Empire—a problem which, in the absence of an Imperial cabinet and central administrative machinery, has proved the most persistent issue of Imperial organisation down to the present day. Dominion Prime Ministers, he pointed out, could assemble only at intervals of four or five years, but continuity in the interim could be secured and much business, particularly regarding international relations, could actually be transacted by individual communication with the British Prime Minister. Intermediate business, too, such as interchange of information and views, rather than deliberation on policies, could be delegated to the Colonial Agents-General, who were not Privy Councillors, and there was no reason why

<sup>1</sup> Royal Colonial Institute, *Proceedings*, vol. xxxvi, p. 295.



each Colony should not be represented by a Minister of External Affairs, rather than by its Premier. More definitely to insure this continuity, there should be an "Imperial Under-Secretary" or "Clerk of the Imperial Committee," charged with keeping the records of the council (which would be mainly confidential) and with collecting and organising the information needed by that body. Hence a good man would be needed, though not a large staff. He should be a permanent under-secretary attached to the Prime Minister's department, and left free of departmental routine. His work should not encroach upon those departmental or local inquiries of the Colonial, Foreign, or India Offices, which might be considered domestic matters, but there was already a considerable "no man's land" (such as merchant shipping and copyright) with which he could profitably concern himself; several States of the Empire lacked exact knowledge of one another's doings. His office would be accessible to the Colonial governments through their representatives.

The final, but not least permanently valuable, element in Sir Frederick's proposal was the agency for furnishing the expert information upon which the advisory council should act :

But we think the best living information ought to be at the service of the Imperial committee through its secretariat; and we think this can be most effectively done, without ostentation and with very little expense, by the constitution of a permanent Imperial commission whose members would represent all branches of knowledge and research, outside the art of war, most likely to be profitable in Imperial affairs. Not only learned and official persons would be included in such a body; but men of widespread business, travellers, ethnologists, comparative students of politics might all find scope for excellent work. It need not, and I think should not, be paid work. It would be as willingly done without pecuniary reward as the more formal and laborious work of Royal Commissions, as to which there has never been any difficulty. The honorary title of Imperial commissioner would be conferred on these selected persons on the recommendation of the Prime Minister, who would in the first instance consult the permanent staff of the Imperial committee. When the commission was once in existence, it might be well for it to hold occasional meetings to make its existence visible, and those meetings might usefully recommend other qualified persons. Every Imperial commissioner would have access to the secretariat, and would be able to impart any special knowledge of his own, with the assurance that it was in safe hands and would not be neglected. Many travellers and others learn things which they cannot publish, and which are not exactly in the province of any one department, though capable of being used for the public good.

Most of the business of this commission, he anticipated, would in practice be done by expert *ad hoc* sub-committees. Informality, in fact, was desirable. In regard to the problem of an Imperial appeal court, for example: "What is wanted here is not a commission and formal evidence or memoranda, but half a dozen men at most, who can quietly find out what is practicable and what not, and whose united opinion will command respect."<sup>1</sup>

Sir Frederick Pollock's scheme has been described in some detail because it was the model for, or at least typical of, the other proposals during this period. A few days later, on April 20, Mr. Alfred Lyttelton, Joseph Chamberlain's successor in the Colonial Office, issued his famous circular despatch to the self-governing Colonies.<sup>2</sup> The suggestions embodied in this document so closely resemble those of the Pollock Committee that they might be termed the official British submission of the latter for Colonial approval. After reviewing the development of the Colonial Conferences, the despatch states:

In the opinion of His Majesty's Government, it might be well to discard the title of "Colonial Conferences," which imperfectly expresses the facts, and to speak of these meetings in future as meetings of the "Imperial Council." They desire, without pressing it, to make this suggestion for the consideration of the Colonial Government.

At the same time a desire as yet to give more formal statement to the constitution or functions of the council is expressly disclaimed. The despatch then goes on to stress the need, as demonstrated by experience in connection with the Conferences thus far, of fuller factual knowledge regarding Imperial matters and suggests a permanent Imperial commission along the lines of Sir Frederick's proposal, with a secretariat, the expenses of which the British Government was willing to defray. The secretary of the commission would also be secretary to the council and keep its records.

In view of the later developments, it is interesting to compare the reactions of the various Dominions at this stage in the evolution of the Imperial federation idea.<sup>3</sup> The replies from Australia, Cape Colony, and Natal were distinctly favourable to Mr. Lyttel-

<sup>1</sup> Royal Colonial Institute *Proceedings*, vol. xxxvi, pp. 301-302.

<sup>2</sup> Cd. 2785, No. 1, pp. 1-5.

<sup>3</sup> The replies of the various Dominions are included with the original despatch in Cd. 2785.

ton's proposals. The Government of Cape Colony stated: "With the principle, and in regard to the details of the scheme, so far as they are set forth, providing for the establishment of an 'Imperial Council,' aided by a permanent 'Commission of Inquiry,' Ministers are in entire accord." They noted the desirability of having a body with continuous status, deprecated haste and artificiality regarding its organisation and functions, and noting the dissimilarity in the conditions of the various Colonies, opposed raising the problem of elective representation as yet, while the council's functions were purely deliberative. "There is every justification for desiring that the proposed council should possess merely consultative and advisory power for the present. Ministers would only refer to the importance which has been attached to the resolutions passed by the Colonial Conferences in the past." They approved having a permanent commission of inquiry.<sup>1</sup> Natal favoured the establishment of both Imperial council and permanent commission.<sup>2</sup> The Australian Government agreed that the name "Colonial Conference" inadequately expressed the nature and importance of this assembly. It would be better described as an "Imperial Council," but should be allowed to develop as circumstances might require, and would certainly promote Imperial unity. They hastened to endorse the proposed commission of inquiry by requesting a representation of two Australians upon it.<sup>3</sup> These Dominions, then, not only accepted the specific suggestions offered them, but apparently endorsed also the implication of evolution towards still closer union contained therein.

In regard to the proposals, New Zealand expressed no opinion. The responses from Canada and Newfoundland were unfavourable, apparently from opposite motives. Although accepting the principle of a joint commission, the Government of Newfoundland doubted whether the time was yet ripe for the main project. They were impressed with the obligations, particularly financial obligations, which participation in the determination of Imperial policy would justly imply, and were willing to postpone a graduation from Colonial status rather than incur them. Their reply is characteristic of this type of reaction :

<sup>1</sup> Cd. 2785, No. 2

<sup>3</sup> *Ibid.* No. 10.

<sup>2</sup> *Ibid.* No. 4.

The question has to be considered from two standpoints : Is it to be merely an advisory council, or a council with executive functions or legislative powers ? In either case, it implies a voice in the policy of the Empire, and that privilege would necessarily carry with it corresponding responsibilities and obligations to be assumed by the Colonies represented in that council. Such being the case, while all the Colonies will doubtless be as one in respect to the wisdom and correctness of the principle, and would doubtless desire to aid in its adoption, there are some struggling communities, and this Colony is one of them, whose revenues are required for public benefit and for increasing the capabilities of the country in which we live, and any direct contribution towards Imperial defence, or any trade preference, would be practically impossible.<sup>1</sup>

Mr. Lyttelton hastened to reply to Sir Robert Bond's letter by an assurance that no grant of executive or legislative powers to the Council was contemplated : " It would merely be a continuation, under a more appropriate title, of the existing Colonial Conferences, which meet periodically for consultative purposes." <sup>2</sup> To Newfoundland's real objections, however, there was no answer.

Canadian rejection of Mr. Lyttelton's suggestions, on the other hand, revealed not a fear of launching forth from Colonialism, but the already articulate suspicions of the Nationalist against what the whole scheme implied. Sir Wilfrid Laurier first requested a delay in answering *until after prorogation*, then sent the fullest and most prophetic of all the replies. After the pregnant suggestion that " any change in the title or status of the Colonial Conference should originate with and emanate from that body itself," the Canadian Ministers went on to state :

Your Excellency's advisers are entirely at one with His Majesty's Government in believing that political institutions " may be often wisely left to develop in accordance with circumstances and, as it were, of their own accord," and it is for this reason that they entertain with some doubt the proposal to change the name of the Colonial Conference to that of the Imperial Council, which they apprehend would be interpreted as marking a step distinctly in advance of the position hitherto attained in the discussion of the relations between the Mother Country and the Colonies. As the Committee understand the phrase, a conference is a more or less unconventional gathering for informal discussion of public questions, continued, it may be, from time to time, as circumstances external to itself may render expedient, but possessing no faculty or power of binding action. The assembly

<sup>1</sup> Cd. 2785, No. 7.

<sup>2</sup> *Ibid.* No. 11.

of Colonial Ministers which met in 1887, 1897, and 1902 appear to the Committee to fulfil these conditions. The term council, on the other hand, indicates, in the view of Your Excellency's Ministers, a more formal assemblage, possessing an advisory and deliberative character, and in conjunction with the word "Imperial," suggesting a permanent institution which, endowed with a continuous life, might eventually come to be regarded as an encroachment upon the full measure of autonomous legislative and administrative power now enjoyed by all the self-governing Colonies.

The Committee, while not wishing to be understood as advocating any such change at the present time, incline to the opinion that the title "Imperial Conference" might be less open to the objections they have indicated than the designation proposed by His Majesty's Government.

As regards the second suggestion of His Majesty's Government, the Committee are sensible that such a commission would greatly facilitate the work of the Conference, and at the same time enhance the dignity and importance of that assembly. They cannot, however, wholly divest themselves of the idea that such a commission might conceivably interfere with the working of responsible government. . . . While for this reason the Committee would not at present be prepared to adopt the proposal for the appointment of a permanent commission, they feel that such a proposal, emanating from His Majesty's Government, should be very fully enquired into, and the Canadian representatives at the next Conference, whenever it may be held, would be ready to join the representatives of the sister Colonies in giving the whole matter their most careful consideration.<sup>1</sup>

Despite the favourable replies from several governments, Mr. Lyttelton, out of deference to the views of Canada, decided to postpone further discussion of the project until the next Conference.<sup>2</sup> During the interval, a change of Government brought with it a marked alteration in the official British attitude towards Imperial problems, and Lord Elgin, the new Colonial Secretary, in a despatch of February 22, 1906,<sup>3</sup> informed the Dominions that he did not feel called upon to adopt Mr. Lyttelton's suggestions, but that the scheme should be freely discussed at the forthcoming Conference.

<sup>1</sup> Cd. 2785, No. 14.

<sup>2</sup> Cd. 2785, No. 15; Cd. 3524, p. 2; Cd. 5746—I, p. 209.

<sup>3</sup> Cd. 2975, No. 9.

## THE DISCUSSION IN 1907—"COUNCIL" OR "CONFERENCE"?

In anticipation of the discussion of Imperial organisation in the 1907 Conference, resolutions were submitted by the governments of Australia, New Zealand and Cape Colony.<sup>1</sup> Australia proposed :

That it is desirable to establish an Imperial council, to consist of representatives of Great Britain and the self-governing Colonies, chosen *ex-officio* from their existing administrations.

That the objects of such a council shall be to discuss at regular conferences matters of common Imperial interest, and to establish a system by which members of the council shall be kept informed during the periods between the conferences in regard to matters which have been or may be subjects for discussion.

Under control of this council, moreover, there was to be a permanent secretarial staff. New Zealand more briefly advised the establishment of an Imperial council. Cape Colony advanced the same proposal, but made it a corollary to their recommendation of Dominion contributions to Imperial defence, by the proviso regarding the latter that : " This Conference, however, is of opinion that, prior to accepting the burden and expense of such a responsibility, the Colonies would require to be represented on an Imperial council at which questions concerning, *inter alia*, the peace of the Empire should be discussed." At this time, therefore, three Governments of the Empire were not merely well-disposed to the principle but were ready to take the initiative in a move for closer union. The determination of the issue depended on the stand to be taken by Lord Elgin, Sir Wilfrid Laurier, General Botha and Sir Robert Bond of Newfoundland. The absolute necessity of securing a favourable reception for their scheme from the Canadian Premier was freely admitted by Sir Joseph Ward in the Conference itself, when he said :

I recognise, as the representative of New Zealand, that unless we have the full concurrence of the representative of the great Dominion of Canada with us upon the proposal to establish an Imperial council permanently, it would be quite hopeless for us to expect to arrive at anything like a working basis which would be of any use to us. For my own part, I should go a long way to meet any suggestion Sir Wilfrid

<sup>1</sup> Cd. 3337, pp. 6-II.

Laurier has to make in the hope that we may do something before we part on this occasion towards establishing an institution which ought not only to be helpful but invaluable to our respective countries in carrying on their functions. We must all be in agreement regarding the establishment of a council or conference.<sup>1</sup>

In accordance with the proposals submitted to it, the discussion of Imperial organisation in the 1907 Conference revolved about three questions—the future constitution of the Conference itself, the provision of a permanent secretariat for it, and the reorganisation of the Colonial Office.<sup>2</sup> The aims of the Imperialists present, Messrs. Deakin, Ward, and Jameson, were concrete enough. They wanted, first, to establish a new Imperial body of avowedly permanent character, to be called—as much in recognition of hopes for the future as of its immediate status—the “Imperial Council,” and, for the same reason, to be presided over by the Prime Minister of the United Kingdom rather than by the Colonial Secretary; secondly, to establish a permanent secretariat, chosen by and responsible to the council, in order to supply the necessary continuity between council sessions, and to take over those functions having to do with the relations of the Dominions to the Mother Country and to one another which had hitherto been in the hands of the Colonial Office. The primary assumption of these proposals, then, was an escape from Colonialism,<sup>3</sup> but they also embodied a definite implication of the direction in which that escape should lie. Thus they roused the suspicions not only of the Colonialist Home Government, but of the Nationalists, Laurier and Botha, who sympathised with the first part of their purpose, but not with their proposed destination. Hence a desire to compromise with men who disagreed with them in principle gave an air of vagueness to the presentation of the Imperialist case, and as usual, made the discussion turn on details of machinery rather than on the bases of Imperial organisation.

The first problem attacked by the Premiers was that of the

<sup>1</sup> Cd. 3523, p. 32.

<sup>2</sup> See report of the discussion in the Conference *Proceedings*, Cd. 3523, pp. 24-91.

<sup>3</sup> “Dr. JAMESON: What we are anxious to do is, of course, to get each individually into constitutional equality with the Motherland; it may be a very disproportionate equality, but that is our idea, really that we are going to be nations, not separate from the United Kingdom, but nations within the United Empire” (*ibid.* p. 34).

organisation of the Imperial Conference itself. In this connection it should be remembered that the meetings of the Conference, despite their usefulness, had hitherto been *ad hoc*, almost impromptu gatherings, that there was as yet no legally and popularly recognised organ of Imperial communication other than the Colonial Office of the Home Government, that through the Pollock proposals and the Lyttelton despatch a definite movement had been launched to establish such an organ, and that the time had now arrived for the official consideration of this proposal by a gathering representative of the Empire. The Imperialist Premiers wished to utilise this amorphous assembly as the nucleus of the Imperial council which they had in mind. They wished particularly to have it made a matter of record that a *new* and *permanent* body had been created, albeit wholly advisory in its functions. In stating their case, they laid especial emphasis on the latter point, that no invasion of local autonomy was contemplated. Mr. Deakin asserted :

Our idea was not to endow the new body, under whatever title it was known, with any legislative or executive power whatever, nor to diminish its immediate dependence upon the governments of the Dominions represented here ; but to provide that it should meet periodically, consist of Prime Ministers, discuss questions of Imperial interest, and where possible arrive at conclusions to be afterwards recommended to its governments and legislatures. But it should have no more power than we possess here of itself putting into effect any decisions at which it might arrive.<sup>1</sup>

This position was emphatically endorsed by Sir Joseph Ward, as follows :

I may say that in public utterances of mine in my own country I have made it clear that such a council would be a council of advice and of advice only, and I have not suggested at any time in our country that we should be responsible for the creation of an Imperial council which should have executive authority, because I am personally opposed to it. I believe it would be an impossibility for us to carry on satisfactorily our present system of self-government if any such body were created with any such authority between our Government and the British Government. I do not wish the impression to go abroad that I have proposed establishing anything of the kind, because I have not.<sup>2</sup>

<sup>1</sup> Cd. 3523, pp. 26-27.

<sup>2</sup> *Ibid.* p. 45.



The discussion of this problem in the Conference involved three main points—what the title of that body was to be, who was to preside over it, and whether or not it was to be made a permanent institution. The first of these questions may seem of minor importance, yet to adopt a new and official name for the gathering would be popularly interpreted as a step in advance, and to select as that name “Imperial Council” would appear to be acceptance in principle of what its supporters meant that name to imply; thus we can see the point of Sir Wilfrid Laurier’s immediate objection to the proposed title. The Imperialists did not press the issue; in hopes of saving the rest of their programme they hastened to concede what seemed a non-vital point, and the name “Imperial Conference” was agreed upon, a title which connotes a confederate rather than a federal form of Imperial organisation. The Nationalists had won the first round.

Another question was that of the presidency of the Conference. Hitherto the Colonial Secretary had convoked the assembly, his office had arranged the agenda, and he had presided at its meetings. The whole setting had been Colonialist—in recognition of the growing importance of the self-governing Colonies, a group of their statesmen had been graciously invited to advise the Colonial Secretary, even to submit problems for discussion, but the atmosphere was not as yet one of Britannic equality. In his opening remarks to the 1907 Conference, however, Sir Wilfrid Laurier happily described the meeting as a “conference between government and governments,”<sup>1</sup> and this phrase was seized upon by Mr. Deakin and Sir Joseph Ward as the argument for their proposal that, in future, the British Prime Minister should be President of the Conference. The Conference, then, would no longer savour of a departmental committee of the Colonial Office, but would appear to be a meeting of the Prime Ministers of the self-governing parts of the Empire, under the chairmanship of the most important of them. Thus, they claimed, the prestige of the gatherings, especially in the outlying Dominions, would be greatly enhanced.<sup>2</sup> Mr. Deakin’s further suggestion

<sup>1</sup> Cd. 3523, pp. 7, 40.

<sup>2</sup> “SIR JOSEPH WARD: I suggest that we should consider the propriety of including the Prime Minister of England upon the Imperial Conference for the reason that it does in the eyes of the outside world impress upon the

that in the absence of the President, the senior Dominion Premier should officiate,<sup>1</sup> was merely an amplification of the same idea. The proposal implied an advance from Colonialism, but not a commitment to Imperialism, hence it was endorsed by Sir Wilfrid,<sup>2</sup> and also by Lord Elgin, although he urged that the second officer should be the Colonial Secretary, since he was charged with the arrangements for the Conference.<sup>3</sup>

The issue of giving recognition to the Conference as a permanent Imperial institution gave rise to serious discussion. As Sir Joseph Ward argued: "The all-important fact exists that the present system is incomplete, and if a permanent Conference is established, including the Prime Minister of England, we could be in consultation with each other on matters of consequence to our countries which are growing at an enormous rate, and which are so scattered."<sup>4</sup> Disguise it as they might, the Imperialists laid tremendous store on securing the formal recognition of this feature in the resolution embodying their decision, and Nationalist suspicions were correspondingly roused thereby. Dr. Jameson (Premier of Cape Colony) said of their project:

It is a kind of seed which may grow. Of course we may have visions a thousand years hence of a closer union, but we want no more than that at the beginning. We want no new departure. We know perfectly well how shy anyone of the Anglo-Saxon race is of a new departure, and all we want in the self-governing Colonies is that this union of the Empire should gradually grow, but you must put the seed in first so that it may begin to grow. What we want is what I think the Secretary of State for the Colonies suggested—a link between the Colonies.<sup>5</sup>

public at large the fact that the government of the Old Land is part and parcel of the Conference" (Cd. 3523, p. 31).

"Mr. DEAKIN: It appears to me that this suggestion would raise the status of the Conference; it would place the governments represented here in precisely the same position in every respect, and is therefore of value and of weight. . . . I do not dwell upon these points as of importance in themselves, but the number of people who are able to be impressed with an idea, or with a suggestion of a principle, only, or most effectively, by some such means is great" (*ibid.* p. 42).

<sup>1</sup> *Ibid.* pp. 42-43 and 59-60.

<sup>2</sup> *Ibid.* p. 40.

<sup>3</sup> *Ibid.* p. 60. Regarding this suggestion, Mr. Deakin wanted to have it understood that the vice-chairmanship was not necessarily restricted to members of the Home Government, but Sir Wilfrid Laurier countered with the argument that it should be so restricted.

<sup>4</sup> *Ibid.* p. 46.

<sup>5</sup> *Ibid.* p. 34.

Sir Joseph Ward urged that the preamble to their resolution should read : " In the interests of the Empire it is desirable to establish a permanent Imperial Conference," and the following colloquy ensued :

Sir JOSEPH WARD : Lord Elgin, would there be any objection to commence this Resolution by affirming the desirability of establishing a permanent Imperial Conference ? My own view, looking forward to the work of regular Conferences, is that we should at this Conference give an affirmative expression to the establishment of a permanent Imperial Conference, and if you would agree (it is on the lines really of what is proposed in the Resolution) I would suggest that we should commence it by stating that " in the interests of the Empire it is desirable to establish a permanent Imperial Conference."

CHAIRMAN : What is the meaning of the word " permanent " ?

Sir JOSEPH WARD : The meaning of the word " permanent " is to affirm permanent conferences at regular periods. There is no constitution for a conference ; if it were possible to frame a constitution by which a conference could be set up the word " permanent " would be unnecessary as the constitution itself would imply permanency. In the absence of a constitution I think we ought to affirm permanency or continuity in some way, so that at all events the public could understand that this is intended to be a permanent Imperial Conference.<sup>1</sup>

It was pretty well understood among the members of the Conference how they severally felt upon the various issues. Hence from their efforts to allay the suspicions of the Nationalists and to secure unanimous support for their proposals, the Imperialists' project seems very colourless. The composition of the proposed body was to be the same as the existing Conference. Its powers and functions, too, were to be unchanged. What was there, then, to their proposal, and why the discussion ? The gist of the Imperialist position was contained in the words " establish " and " permanent " which Mr. Deakin sought to have included in the resolution providing for future meetings of the Conference. Though they had failed in the choice of title, they still had their Imperial council project in mind, and, looking to the future, wished to have it definitely stated that a *new* Imperial body had been created (even if the metamorphosis of the Conference were not visible elsewhere than in this statement), and that this body was to have a continuous existence in the future,

<sup>1</sup> Cd, 3523, pp. 52-53.

with a status as officially recognised as that of any other organ of government. They were thinking of the effect upon public opinion in the Mother Country and the Dominions—a public opinion which would be much impressed by apparent changes in form and could not analyse the substance, which would conclude that an important step towards Imperial unity had been achieved, yet with no observable inconvenience or dislocation of local arrangements resulting therefrom.

The importance of these considerations was recognised by their opponents in the Conference. General Botha pointed out that Mr. Chamberlain's proposed Imperial council would have been clothed with executive and legislative functions, and voiced the antipathy of the Nationalists to the avowed creation of a new body. As he said: "I should like to build up, but I should like to build slowly."<sup>1</sup> Lord Elgin stated that from his analysis of the replies to Mr. Lyttelton's despatch, he had concluded that a continuance of the existing Conference was intended, and when in his capacity as Chairman the Colonial Secretary drafted the resolution providing for the future constitution of the Conference, he omitted the offending words from it, so that instead of embodying Sir Joseph Ward's suggestion, the opening clause read: "That it will be to the advantage of the Empire if (Imperial) Conferences are held every four (or five) years. . . ."<sup>2</sup> The implication of this, of course, was that no new departure had been made; the use of the plural "Conferences," in fact, failed to suggest the existence of any recognised continuing body whatsoever. The later adoption of the singular form "Conference," was, therefore, a noteworthy concession. There was some discussion of the question of the frequency of Conference sessions.<sup>3</sup> Intervals of three, four, five and six years were suggested. The main difficulty was still the time involved in journeying to London and the loss of contact with home politics this entailed. Hence it is noteworthy that it was Sir Wilfrid Laurier who advocated the longest of these periods, but even Jameson and Ward as well as Botha favoured five-year intervals. However, Mr. Moor (Natal) urged: "We are here to plant a seed which may develop into a tree hereafter. I think the more closely the tree is being watched and matured the better, and I

<sup>1</sup> Cd. 3523, p. 35.

<sup>2</sup> *Ibid.* pp. 56-58.

<sup>2</sup> *Ibid.* p. 47.

vote for the shorter period." The four-year interval was decided upon, with the proviso that additional subsidiary Conferences might be summoned should circumstances warrant. This was the nearest approach to continuity which the Conference itself was able to attain. The Imperialists had been forced to sacrifice their main objective.

A point of no mean significance was raised by Dr. Jameson regarding their statement of the purpose of the Conferences. He objected to the restricting clause "affecting the relations of the Mother Country and His Majesty's Dominions over the seas," and suggested "... four years, at which questions of common interest may be discussed and considered as between the government of the United Kingdom and the governments. . . ." This was adopted.<sup>1</sup> This objection signified a further step from Colonialism. The Conference—instead of being a means of presenting grievances, if any, which the Colonies had against the Mother Country—was to be a forum for the free discussion of all questions of Imperial interest, including the relations of the Dominions with one another, a more direct route than the existing one *via* the Colonial Office. Finally, it is interesting to note that in seeking a more satisfactory substitute for the term "self-governing Colonies," in fact trying to avoid the invidious word "Colony" altogether, the Conference borrowed from Canada the title "Dominions," to describe in the future the self-governing portions of the outer Empire.<sup>2</sup>

#### THE IMPERIAL SECRETARIAT AND THE COLONIAL OFFICE

The second main problem of Imperial reorganisation before the 1907 Conference was the proposal to establish an Imperial secretariat,<sup>3</sup> and nowhere was the desire of the Dominions to

<sup>1</sup> Cd. 3523, pp. 58-59.

<sup>2</sup> *Ibid.* pp. 30-31, 47.

<sup>3</sup> The problem of attending to Conference business between sessions was not a new one, although the Imperialistic significance of the issue had not yet been clearly raised. During the 1894 Conference at Ottawa, Sir Henry Wrixon (Victoria) pointed out that insufficient attention had been given to the resolutions of the 1887 Conference regarding bankruptcy, and suggested the desirability of greater continuity between sessions. The 1894 Conference, moreover, charged Mr. Sanford Fleming with the secretarial duties connected with the Pacific Cable project, Mr. Mackenzie Bowell (Canada) undertaking

do away with Colonialism more evident than in this connection. Administratively, the overseas possessions, of whatever type, were still suspended from the Colonial Office, which was merely one of the numerous departments of the British Government. Hence all communications, either between a Colony and the Mother Country, or between the Colonies themselves, still passed through this office. The Premiers or other Ministers of the United Kingdom and the Dominions did not correspond on terms of equality with one another, but communications were addressed by or to the Colonial Secretary and the Colonial or Dominion governors, Dominion cabinets appearing only incidentally and indirectly in the proceedings. The system, as far as the Dominions were concerned, was regarded as obsolete and derogatory to their status.

But it was more than the retention of the forms of administrative tutelage over the Dominions that was resented. Since the effective authority and main business of the Colonial Office concerned the Crown Colonies, departmental psychology was still of the kind adapted to this type of relationship ; its failure to adjust itself to the changing status of the Dominions touched their sensibilities in a very tender spot. Mr. Deakin stated this grievance rather pointedly :

Our responsible and representative Governments are dealt with as you deal with a well-meaning Governor or well-intentioned nominee council. Sufficient knowledge of our circumstances on many questions would show that we were expressing the sentiments of the great body of our people who have considered some question or questions which directly and materially affect them, and regarding which they have formed strong and clear conclusions. Our representations are met, as you are quite entitled to meet them if you please, by an absolute refusal in some cases, or by a qualified refusal in other cases. With that we have not so much dispute as with the fact that we seem to be refused, nor merely upon inadequate, but upon inappropriate or unreal grounds. The particular representations we make are not interpreted as they would be if they had been expressed by representative members of the House of Commons, who, speaking on behalf of their fellow-members, give utterance to what they believe to be the wishes of their electorate. It is that kind of treatment we mean. I hope I am not to be tempted to justify myself, or to attempt to justify myself, by giving illustrations of this kind of treatment. There may be an

the Parliamentary responsibility in these matters. See C. 7553, pp. 257, 170-171, and Jebb, *Imperial Conference*, vol. i. p. 243. For discussion in the 1907 Conference, see Cd. 3523, pp. 27-92.

appropriate time for them, but I doubt if it is just now. The complaint we have to make is of an attitude of mind. A certain impenetrability ; a certain remoteness, perhaps geographically justified ; a certain weariness of people much depressed with affairs, and greatly overburdened, whose natural desire is to say " Kindly postpone this ; do not press that, do not trouble us ; what does it matter ? We have enough to do already ; you are a self-governing community, why not manage to carry on without worrying us ? " <sup>1</sup>

The Imperialists, however, aimed to remedy the situation by more than a mere departmental reorganisation in the British Government, which would remove the Dominions from the jurisdiction of the Colonial Office. As they had hoped to transfer the conduct of Imperial relations to a new conference (or council), so they proposed at the outset that the medium of continuous communications between the self-governing parts of the Empire should be entirely separate from the British Government or any part of it, especially the Colonial Office. They urged the creation of a new Imperial secretariat *to be chosen by and responsible to the Conference as a whole*, financed *pro rata* by the several governments, and through which the latter might keep in touch with one another freely and on a basis of perfect equality.<sup>2</sup> Undoubtedly the co-operative management of such an enterprise would have served as an excellent entering wedge for Imperial federation ; it would have promoted Imperial co-operation and those habits of thought throughout the peoples of the Empire which would have prepared the way for closer union. Dr. Jameson, for example, somewhat tactlessly suggested that " one of the first uses of that secretariat would be to sit down and go into the tariff question of the United Kingdom and the Colonies." <sup>3</sup> Mr. Deakin urged, as a proper care of the secretariat, the duty

<sup>1</sup> Cd. 3523, pp. 71-72.

<sup>2</sup> The Australian resolution set forth the proposed organisation and functions of the Secretariat and its relations to the Imperial Council project as follows :

That there shall be a permanent secretarial staff charged with the duties of obtaining information for the use of the Council, of attending to the execution of its resolutions, and of conducting correspondence on matters relating to its affairs.

That the expenses of such a staff shall be borne by the countries represented on the Council in proportion to their populations (Cd. 3404, p. 12).

The proposal for meeting the expenses of the Secretariat was much more Imperialistic than Mr. Lyttelton's, which it will be recalled would have placed the entire burden (and with it the ultimate control) with the Home Government.

<sup>3</sup> Cd. 3523, p. 284.

of keeping the Dominions in close touch with external relations that affected them, in order to avoid a repetition of such misunderstandings as had arisen over Alaska in the case of Canada, over the New Hebrides and Pacific interests with Australia, and over Delagoa Bay in South Africa.<sup>1</sup>

Rather than this Imperialistic aspect, however, the inadequate handling of the routine work between sessions of the Conference was urged as ample justification for an Imperial secretariat. "The idea that we had in our mind," said Mr. Deakin, "was not an extension of power, it was an extension of inquiry, an improvement of method, a system of obtaining complete information, and of enabling us to exchange views with the government of this country or with each other."<sup>2</sup> He complained that although this Conference was the first which had been in any way properly equipped, yet after his arrival in England an avalanche of valuable material had descended upon him, not a line of which he had had time to peruse. "One of the objects of the secretariat is not only that the information should be obtained up to date, but that it should be available at a time and in a place where it could be properly weighed and criticised beforehand." For example, he was uninformed what treaties had been negotiated or communications exchanged since the 1902 Conference.<sup>3</sup> The secretariat, moreover, would be a nexus for intercommunication between the Colonies, whether the United Kingdom was or was not involved.<sup>4</sup> Furthermore, the resolutions of previous Conferences had been inadequately followed up :

I have taken out a list of the resolutions passed at previous Conferences, some of which appear to have been pursued a short way, and one or two of which I think have been scarcely pursued at all. . . . The duty of the secretariat would be to take care that a resolution should not remain a dead letter, but should be followed up to its fullest extent. Any Prime Minister who was not satisfied with what was done would communicate, either with the Prime Minister who started it, or those who agreed with it. . . . The secretariat ought to do whatever is necessary to keep the resolutions alive until they were finally disposed of to the satisfaction of all governments concerned.<sup>5</sup>

<sup>1</sup> Cd 3523, p. 615. Although these statements were made later in the Conference, after the question of the secretariat had been disposed of, yet they are important as revealing what the proponents of the scheme actually had in mind when they advanced it.

<sup>2</sup> *Ibid.* p. 28.

<sup>4</sup> *Ibid.* pp. 47, 64.

<sup>3</sup> *Ibid.* p. 41.

<sup>5</sup> *Ibid.* p. 73.



As regards the composition of the proposed secretariat, both Sir Joseph Ward and Dr. Jameson suggested that, for a beginning, at least, the Dominion High Commissioners or Agents-General should be employed for this service. General Botha also advocated using these officials in preparing Conference agenda, but as substitutes for rather than as the secretariat.<sup>1</sup>

As a project, this scheme certainly had much to recommend it, but the proposal actually to put it into operation revealed serious practical difficulties, upon which the Nationalists, suspicious of its Imperialistic implications, and a British Government, jealous for the authority of its Colonial Office, were not slow to concentrate their attack. Providing for the salaries and expenses of the new body was not the question, as the proposal called for an apportionment of this slight financial obligation among the countries concerned. The problem was that of effective control over the secretariat once it came into being. If there had been an Imperial council or parliament, with executive and legislative powers, meeting frequently to decide matters of Imperial policy, the secretariat would have been responsible to it, and control of this administrative agency would have presented no more difficulty than was the case with any ordinary governmental department. With merely an advisory council, however, or with the Imperial Conference, since the council had failed to materialise, the situation was quite different.

A cardinal principle of British political science, developed during the "grand and glorious revolution" in England and the struggles for "responsible government" in the Dominions, is that each administrative department shall be supervised by a recognisable political head, who is held accountable to Parliament for it. This theory of protection against irresponsible bureaucracy has become so thoroughly ingrained in British thinking that it was immediately invoked in the 1907 Conference against the Imperial secretariat proposal. General Botha said: "I also fear that we might afterwards create more work for ourselves with the officials of the secretariat than with the Colonial Office itself, and I want to maintain the bond of connection as directly as possible between the Colonial Office and the self-governing possessions."<sup>2</sup> Lord Elgin was convinced that the proposal meant the creation of a body which in actual operation

<sup>1</sup> Cd. 3523, pp. 31, 34, 35.

<sup>2</sup> *Ibid.* p. 35.

would become independent of the Conference, and so vitiate the responsibility of the governments both of the Mother Country and the Dominions to their parliaments.<sup>1</sup> Sir Wilfrid's criticisms were most pointed :

I cannot bring myself to see how the organisation of such a body is to be anything else but that of an independent body. Whom are they going to advise ? Whose suggestions are they to receive ? On what authority are they to act ? What work shall they do ? What advice shall they give ? Shall they give independent advice ? What reports shall they make ? I can conceive that a body of that kind might be instructed to prepare some work here and there occasionally, but during four or five years they would be here all by themselves taking the suggestions of nobody, so far as I can see. . . . At the present time I am not convinced that this is a practical step which would meet with any substantial result. On the contrary, I believe such a body would, in the nature of things, be always inclined to act independently, and I share altogether the view of Lord Elgin that for the present no such body should exist, but that, on the principle of responsible government, no one should give advice of any kind except a man who is responsible directly to the people.<sup>2</sup>

Realising the force of this objection, Mr. Deakin, backed by Sir Joseph Ward, advanced a compromise proposal. He urged that, as this was a Conference of governments and governments, and the secretariat was intended to represent all these governments, it should be supervised by the British Prime Minister who alone was permanently resident in the United Kingdom. The secretariat would thus be " an office of all the governments, so to speak, but an office under the active executive direction, so far as that is needed, of the Prime Minister himself." <sup>3</sup> Dr. Jameson stood out for the responsibility of the secretariat to the Conference itself, and feared that this arrangement would not secure sufficient independence of the Home Government, but later acquiesced if it were made clear that the British Prime Minister was to act in his capacity as President of the Conference, and not as head of the United Kingdom Cabinet.<sup>4</sup> The question then became whether the secretariat was to be placed under the supervision of the British Premier or of the Colonial Office. This was promptly solved by the Home Government with a categorical

<sup>1</sup> Cd. 3523, pp. 36-39.

<sup>2</sup> *Ibid.* p. 40.

<sup>3</sup> *Ibid.* pp. 42-43, 62-77.

<sup>4</sup> *Ibid.* pp. 43, 66-71 ; the sharp interchange between Laurier and Jameson (pp. 66-67) brings out the points at issue very clearly. See also Jebb, *Imperial Conference*, vol. ii. p. 123.

veto of the former alternative, acquiesced in by Sir Wilfrid Laurier, but in face of ardent protest from Dr. Jameson.<sup>1</sup> The resolution, as passed, placed the organisation and direction of the secretariat entirely in the hands of the Colonial Secretary. A corollary of this was the defeat of the proposal for the joint assumption of the financial obligations involved; the expenses of the secretariat were to be borne solely by the Home Government.<sup>2</sup>

On this question it was the Colonialists, aided by the Nationalists, who had won a decisive victory.<sup>3</sup> Not only had the principle of an Imperial secretariat responsible to the Conference been rejected, but the Colonial Office still remained the official medium of communication between the self-governing parts of the Empire, and the agency charged with the business of the Conference between sessions. Even the effort to transfer these duties to the British Prime Minister, acting for the Conference, had failed. As Mr. Jebb puts it: "Bureaucracy had triumphed and the Empire had lost. The clock had been set back by the acceptance of the so-called compromise, which in effect confirmed the principle of Colonial dependence and therefore obstructed the evolution of Imperial union."<sup>4</sup>

That the Dominions were beginning to insist upon treating as Imperial questions, and hence as proper subjects for discussion in the Conference, many matters which the British Government would have preferred to consider her purely domestic concerns was becoming evident. Although the organisation of the secretariat had been relegated to the British Government, Mr. Deakin returned to the attack and forced a discussion of the reorganisation of the Colonial Office. Lord Elgin maintained

<sup>1</sup> "MR. WINSTON CHURCHILL: The only question for the moment in doubt is whether it should be the Prime Minister or the Secretary of State for the Colonies.

"DR. JAMESON: May I add, again, in connection with the secretariat, that it is the servant of this Conference, and should be under the control of the Prime Minister in his capacity as President of the Conference.

"CHAIRMAN: I have consulted the Prime Minister, and the Prime Minister authorises me to say he does not see his way to agree to that arrangement" (Cd. 3523, p. 68).

<sup>2</sup> *Ibid.* pp. 74-75. This point, too, was carried by the Colonial Secretary by invoking the plea of preserving ministerial responsibility.

<sup>3</sup> See Cd. 3795, pp. 5-6, for Lord Elgin's summary of the controversy, and note the emphasis laid upon Sir W. Laurier's influence on the decision. See also Jebb, *op. cit.* vol. ii. pp. 72, 129-130, and his further remarks on the same subject in "Conference or Cabinet," *United Empire*, vol. xi. pp. 166-167.

<sup>4</sup> *Imperial Conference*, vol. ii. p. 129.

that this was his business ; Mr. Deakin held that it was a concern of the Conference, and some rather sharp interchanges ensued. As soon as it was agreed that the secretariat should be responsible to the Home Government, Lord Elgin endeavoured to remove the subject from further consideration by the Conference, with the argument :

That ministerial responsibility must be vested in the Imperial Government because the representatives of the Colonial governments cannot be in this place. Therefore it is for His Majesty's Government to determine how they can implement the desire of the Conference and secure the necessary ministerial responsibility on which the security of this link depends. . . . Each government must really be left to decide in what way it is most convenient for it to divide the business which is to be put upon it. Therefore I venture to put it very respectfully to this Conference that they should not enter into the question of how, in the opinion of His Majesty's Government, the ministerial responsibility is to be put in operation. That is a matter which His Majesty's Government must determine.<sup>1</sup>

Mr. Deakin retorted :

I question the applicability of the argument which you urge. You say no government is to be dictated to as to how it shall do its business. Quite true. It must allot that business as it pleases. Quite true. It will direct as it pleases. Quite true. No one suggested anything else ; but what we did suggest was that our business, so far as it can be distinguished from yours, should be recognised as our business even to the extent of being paid for by us and discharged by a staff which should, through your Prime Minister, be responsible to our Prime Ministers, and to us. We proposed to you a new thing—not any interference with your present departments. We have no right to interfere, as you properly said, with your department, or its divisions, or its methods. I quite agree. What we have suggested is a new department altogether, with your Prime Minister at its head, but a responsibility somewhat different in its origin, as he would be acting not merely as Prime Minister of Great Britain, but also acting for the other Prime Ministers of the Empire. We are prepared to contribute to the cost of such a department and pay for the officers that they employ in order to have our business done.<sup>2</sup>

In less belligerent fashion Sir Joseph Ward and Sir Wilfrid Laurier supported his demand that in the reorganisation the Dominions be clearly separated administratively from the Crown Colonies.<sup>3</sup> Hitherto the main scheme of Colonial Office organisa-

<sup>1</sup> Cd. 3523, p. 69.

<sup>2</sup> *Ibid.* pp. 65, 80.

<sup>3</sup> *Ibid.* p. 72.

tion had been geographical, and at first Mr. Churchill pronounced the administrative difficulties of classification according to status insuperable, but in forcing a reopening of the subject, Mr. Deakin secured from Lord Elgin the assurance that "in the future, at any rate, we depart from the geographical division and take the responsibly governed Colonies under one branch."<sup>1</sup>

This was all that came of the Imperial secretariat proposal. The upshot of the whole discussion in 1907 was the division of the Colonial Office into three instead of two branches, by the creation of a new "Dominions Department," thus to an extent separating the Dominions administratively from the Crown Colonies and Protectorates. This Department was to be under a senior assistant under-secretary; there was also to be in it a junior assistant secretary who would act as Permanent Secretary to the Imperial Conference. In his despatch announcing these changes,<sup>2</sup> Lord Elgin asked whether the Dominions preferred

<sup>1</sup> Cd. 3523, p. 619.

<sup>2</sup> Cd. 3795 (September 21, 1907); the proposed reorganisation is described in this despatch as follows:

3. Your Ministers are probably aware that the business of the Colonial Office has been arranged up to the present time mainly on geographical lines, though there is a General Department, to which certain matters common to all the Colonies are referred. This General Department I propose in future to strengthen and enlarge, but otherwise to make the line of division in the office one of status rather than of geography and to separate entirely the work of the self-governing Colonies from that of the Crown Colonies and Protectorates. The only exception will be in the case of those Crown Colonies and Protectorates in the Pacific and connected with South Africa whose interests are so closely related to those of the adjoining self-governing Colonies that the conduct of their business at this office must necessarily be entrusted to the same hands. The Colonial Office will therefore in future be divided into three branches or departments, one dealing with the self-governing Colonies, a second dealing with the Crown Colonies and Protectorates, and a third—the General Department.

4. The first of these three departments will be known as the Dominions Department, the term being used to differentiate the status of the self-governing provinces of the Empire from that of the Crown Colonies. All the business of every kind connected with the self-governing communities will be included in its scope, though certain matters of general routine must necessarily be shared with the General Department: and the staff of the Dominions Department will, with the exception mentioned above, be in no way concerned with the Crown Colonies.

All questions of emigration will be referred to this Department, and it will keep in close touch with the Commercial Intelligence Committee of the Board of Trade.

5. The Secretariat of the Imperial Conference will be linked to this Department, without being entirely merged in it. The Secretary will be a member of the Department, but he will also have his own special and separate duties; and he will have, as occasion requires, direct access to the Secretary of State. I suggest, as a matter of convenience, and

that the Permanent Secretary should correspond on routine business direct with their Cabinets, or utilise their High Commissioners as intermediaries. The Transvaal, Cape of Good Hope Colony and Natal preferred the latter alternative, and Australia claimed that the point was of minor importance. As regards the scheme itself, the replies<sup>1</sup> in general avoided comment. The Cape of Good Hope Government, however, pronounced it merely a temporary expedient<sup>2</sup> and Australian criticism was distinctly cutting. This averred that "a subject of vast importance, viz. the establishment of a system by which the several governments of the Dominions are to be kept in touch with the British Government and with each other upon all matters of moment" had not yet been dealt with; "indeed all that appears to have been accomplished is that a sub-department has been renamed." The reply then quoted the original Australian proposals, and showed how the actual result differed from them in every vital particular.<sup>3</sup> In other words, they took

also in order to emphasise his position, that on all matters of routine arising out of and connected with the Imperial Conference, the Secretary and the Colonial Ministries shall correspond directly with each other, the correspondence in all cases passing under flying seal between the Secretary of State and the Governor-General or Governor. I shall be glad to learn to what extent your Ministers may desire to suggest that the High Commissioner or Agent-General in this country should act as an alternative channel of communication, as I am anxious to establish close and harmonious relations between them and the Secretariat. The Secretariat, either directly or through the Dominions Department will be represented on, or closely allied to the Commercial Intelligence Committee.

<sup>1</sup> Cd. 5273; no replies were received from Canada or New Zealand.

<sup>2</sup> "Ministers will, of course, by sympathetic co-operation endeavour to assist in every possible way in securing the full advantage of the improved machinery now provided, but while regarding the present arrangement as an advance forward the ultimate creation of an Imperial department suitable and adequate to co-ordinating the organisations of a widely-spread and fast-growing Empire, they can only regard the present as a temporary expedient" (*ibid.* No. 2).

<sup>3</sup> *Ibid.* No. 4. The latter section of the Australian comment was as follows:

"7. The (original) proposal differs from the compromise finally accepted by this Government in the following important particulars:—

(a) It contemplated an organisation entirely separated from the Colonial Office.

(b) It proposed that the officers should be controlled by or on behalf of the Conference.

(c) It provided that the expenses of the staff should be borne by the countries represented.

"8. Your Ministers are unable to concur in the opinion of the Secretary of State that the secretariat proposed by them was in the slightest degree inconsistent with the maintenance of Ministerial responsibility in any

the attitude that this major Imperial problem had merely been shelved and was still awaiting solution.

Formally at least, the results of the Conference discussion in 1907 regarding Imperial federation are much more conclusive than those of 1897 and 1902. In the first place, there had been considerable discussion of the issue during the preceding interval, especially in Canada in connection with the campaign of Sir Frederick Pollock and Geoffrey Drage in 1905, and public opinion pro and con was more clearly formulated. In the second place, the proposals which were rejected in 1907 were much milder than those of the earlier period. Mr. Chamberlain had requested the acceptance of a full-fledged Imperial council with executive and legislative powers, and his reception might be optimistically construed as merely a declaration that so radical a proposal was premature. In 1907, on the other hand, even the effort to create an advisory Imperial council had early been dropped, and what was in effect asked of the Conference was nothing more than a commitment to follow the direction of closer union. Such was the purport of the discussion of a permanent Conference. That despite the lapse of time and the preceding agitation, even this had been refused, boded ill for the Imperialists.

On the other hand, the results of the attempt to establish an Imperial secretariat were not so definitive. Though expressed by some more forcibly than by others, the desire of all the Dominions to be emancipated from a Colonialistic administration had been clearly put before the Home Government. Yet the withdrawal of the Imperial council proposal had left the secretariat scheme helpless in face of the responsible government argument, with a resultant victory for what was virtually the *status quo*. Unlike the decision upon the main question of federation, however, the failure to create an Imperial secretariat meant only a postponement of the issue, for whether on a basis of federation or confederation, the necessity of furnishing the central organisation with an agency for doing routine work and acting as a ready means of communication between the constituent governments, which would be more than a mere administrative department of one of them, must, until solved, remain

of the Governments concerned. The misapprehensions leading to such a misconception would have been removed had not the refusal of the Secretary of State to accept their proposition in any form placed the question aside for the time being."

insistent. Moreover the issue of ministerial responsibility, upon which it was ostensibly defeated by Colonialist-Nationalist collusion in 1907, cannot be permanently disposed of in summary fashion, and by a mere Olympian pronouncement, as it was then. It has been a central problem in connection with several other schemes for co-operative action among the self-governing parts of the Empire which have already been attempted—such as Sir Sanford Fleming's proposal for a Pacific Cable Board, a Central Emigration Authority, an Imperial Council of Commerce, and so on—and will in all probability wax in importance as time goes on. The Secretariat of the League of Nations marks the successful operation of an agency closely analogous to that sought by Mr. Deakin and his associates after the Conference principle had been adopted in place of the Imperial Council they had visualised. Even well-tried principles of political science must be modified and subdued to the necessities of the situation, in this as in other cases.

The upshot of the discussion of these three aspects of Imperial organisation in the 1907 Conference was the famous "Constituent" Resolution I, one of the most momentous in the history of the Britannic Question. It read as follows :

'That it will be to the advantage of the Empire if a Conference, to be called the Imperial Conference, is held every four years, at which questions of common interest may be discussed and considered as between His Majesty's Government and his Governments of the self-governing Dominions beyond the seas. The Prime Minister of the United Kingdom will be *ex officio* President, and the Prime Ministers of the self-governing Dominions *ex officio* members of the Conference. The Secretary of State for the Colonies will be an *ex officio* member of the Conference and will take the chair in the absence of the President. He will arrange for such Imperial Conferences after communication with the Prime Ministers of the respective Dominions. Such other Ministers as the respective Governments may appoint will also be members of the Conference—it being understood that, except by special permission of the Conference, each discussion will be conducted by not more than two representatives from each Government, and that each Government will have only one vote.

'That it is desirable to establish a system by which the several Governments represented shall be kept informed during the periods between the Conferences in regard to matters which have been or may be subjects for discussion by means of a permanent secretarial staff charged, under the direction of the Secretary of State for the Colonies, with the duty of obtaining information for the use of the Conference,



of attending to its resolutions, and of conducting correspondence on matters relating to its affairs.

That upon matters of importance requiring consultation between two or more Governments which cannot conveniently be postponed until the next Conference, or involving subjects of a minor character or such as call for detailed consideration, subsidiary Conferences should be held between representatives of the Governments concerned specially chosen for the purpose.<sup>1</sup>

#### THE ISSUES IN THE 1911 CONFERENCE

Despite the fate of the issue in 1907, it is interesting to note that the most definite and comprehensive scheme of Imperial federation ever presented for official action by representatives of the Empire was brought forward in the 1911 Imperial Conference. Was this merely a forlorn hope? In retrospect, the action of the 1902 Conference may seem to have been decisive in a negative sense, and that in 1907 to have laid down definitely the lines upon which developments in the future must proceed, but we must remember that during the interval Imperial unity had been systematically and continuously agitated, and especially that the situation in Europe was steadily becoming more critical. Imperial defence was becoming the paramount issue. Imperialists who dared visualise only one possible outcome may well seem justified in hoping that the trend of evolution could be diverted and a further attempt on their part prove successful. Yet notwithstanding these circumstances, the issues involved were by this time so clearly joined, and the handling of them so direct, that in the discussion of 1911 the matter was disposed of in summary fashion.

The resolution which Sir Joseph Ward rose to present merely called for an Imperial council advisory to the British Government, but he had not spoken long before it was evident that what he had in mind was much more than this, and he proceeded to outline a complete project for Imperial federation. Whether or not presenting one proposal for the *agenda* and then advocating something far more comprehensive were intended as a *coup d'état*, certainly in the 1911 Conference there was little beating about the bush. The issue was squarely put and met.<sup>2</sup> Sir

<sup>1</sup> Cd. 3523, p. v.

<sup>2</sup> The resolution proposed by New Zealand read as follows: "That the Empire has now reached a stage of Imperial development which renders it expedient that there should be an Imperial council of state, with repre-

Joseph Ward's proposal for an Imperial Federal Parliament may be briefly summarised as follows :

1. There should be an Imperial House of Representatives, numbering say 300, elected for a 5-year term from Britain and the Dominions in the manner each of these might determine, and on a basis of one for every 200,000 of the population (which would allocate say 220 members to the United Kingdom, 37 to Canada, 25 to Australia, 7 to South Africa, 6 to New Zealand, and 2 to Newfoundland).

2. There should be an Imperial Council of Defence (Senate) of 12, comprising (on the American " great compromise " basis) 2 members from each of these six countries.

3. There should be an Imperial Cabinet of not more than 15, of whom not more than 1 should be from the Senate.

The Imperial Parliament was to be charged exclusively with only those matters which were common to, or could not be satisfactorily undertaken save by the Empire as a whole. These would include the conduct of Imperial foreign relations and defence, and provision of the revenues necessary for these purposes. For the first ten years this Parliament would have no power of taxation ; the quota of each country (estimated per capita) would be raised by its government and paid into the Imperial exchequer ; the total contribution from the Dominions was not to exceed one-half that of the United Kingdom. This Imperial Parliament was at first to exist side by side with the Home Parliament, but eventually, with devolution in Britain, would be merged with it.

Sir Joseph's tone was frankly Imperialistic, even racist. The burden of his address was Imperial defence ; he proposed that the new organisation be called a council, or preferably a parliament of defence. Participation was to be limited to the white population of the self-governing parts of the Empire only.<sup>1</sup> He emphasised the rapid growth of the Dominions (in twenty-five years their combined population would be much greater than that of the United Kingdom) but at the same time dwelt on the growing foreign admixture in their population, pointing to the great change in the United States during the last half century as a warning.<sup>2</sup> There was urgent need of keeping

representatives from all the self-governing parts of the Empire, in theory and in fact advisory to the Imperial Government on all questions affecting the interests of His Majesty's Dominions overseas." For the discussion in the 1911 Imperial Conference, see *Proceedings*, Cd. 5745, pp. 36-75.

<sup>1</sup> Cf. discussion of status of India in 1917 Imperial War Conference (Cd. 8566, pp. 15-17, 40-46).

<sup>2</sup> This racist appeal evoked a significant interruption from Sir Wilfrid Laurier, and the admission from Sir Joseph that he considered the character of the population to be an Imperial question. From this the French-Canadian Premier naturally dissented (Cd. 5745, pp. 40-41).

Britishers within the Empire in order to contribute to its up-building, but an Imperial council was prerequisite to an Imperial immigration policy. Furthermore, while in the United States and Germany the unification had been of contiguous territory, the British Empire in contrast was unique in its dispersion. Hence the vital importance of sea power, of naval defence. Despite this consideration, there had been great, though gradual changes—the rise of separate nations with separate navies, even talk of aloofness in time of war. An Imperial council, therefore, was an immediate need, in order to give the Dominions a voice in the conduct of foreign affairs; now was the time for British statesmen to act. Sir Joseph went on to describe the Imperial council or “parliament of defence” he had in mind. It would, he emphasised, have narrowly restricted powers, relating to Imperial matters only, especially naval defence. Nevertheless, under questioning by Sir Wilfrid Laurier and Mr. Asquith, he admitted that these powers were to be coercive.<sup>1</sup> No mere advisory council was intended.

Whereas in 1907 the Imperialist and Nationalist forces appeared somewhat evenly divided, in 1911 Sir Joseph Ward's proposal brought forth overwhelming criticism—polite, pointed, and unanimous. Sir Wilfrid Laurier suggested that contributions to Imperial defence did not necessitate an Imperial council; “I do not see the relevancy of it to the idea you are expounding.” Sir Joseph argued that a council alone could secure the necessary uniformity in the sea defences of the Empire. This brought the decisive rejoinder: “That would mean that the council would fix the policy of Canada.”<sup>2</sup> Later on Sir Wilfrid attacked the proposition from another angle:

What Sir Joseph Ward has proposed is not an advisory council; it is a legislative body to be elected by the people of the United Kingdom and the Dominions beyond the seas—a legislative body, I say, with power to create expenditure and no power to create revenue. Now if there is one system which I think is indefensible, it is the creation of a body which should have the power to expend at its own sweet will without having the responsibility of providing for the revenue to carry on the expenditure. That seems to me at once to dispose of the matter. . . . The proposal seems to me to be absolutely impracticable.<sup>3</sup>

<sup>1</sup> Cd. 5745, pp. 54–55.

<sup>3</sup> *Ibid.* p. 68.

<sup>2</sup> *Ibid.* pp. 52–53.

Sir Joseph's answer, that he had provided responsibility for revenue through the power to fix defence contributions, merely threw him on the other horn of the dilemma.

Australia, now represented by Mr. Fisher, exhibited a change of heart. Their Premier expressed the view that there was nothing wrong with the Empire but what conferences such as these could remedy. He favoured the *status quo*; "If we were to take the path Sir Joseph Ward invites us to take, I am of opinion we should retrace our steps early and hurriedly."<sup>1</sup> One highly important consequence of the unification of South Africa had been the elevation of General Botha to sole leadership and a corresponding reduction of Imperialist voting strength in the Conference. Both in his political circumstances at home and in his outlook upon Imperial problems the late spokesman for the Transvaal presented a striking counterpart to Sir Wilfrid Laurier in Canada, and now afforded him decisive support in his contentions. Together the British, Canadian, and South African Premiers constituted the triumvirate which controlled the Conference. In dealing with Sir Joseph's proposal, General Botha took his stand upon the principle of local autonomy. He maintained :

If any real authority is to be vested in such an Imperial council, I feel convinced that the self-governing powers of the various parts of the Empire must necessarily be encroached upon, and that would be a proposition which I am certain no parliament in any part of the Empire would entertain for one moment. . . . It is the policy of decentralisation which has made the Empire—the power granted to its various peoples to govern themselves. It is the liberty which these peoples have enjoyed and enjoy under the British flag which has bound them to the Mother Country. . . . Decentralisation and liberty have done wonders.<sup>2</sup>

Premier Morris of Newfoundland expressed sympathy with Sir Joseph's underlying idea, coupled with a conviction that his proposal would not bring it about.

Mr. Asquith displayed that modified Colonialism referred to in the preceding chapter. On the one hand he refused absolutely the implied sharing with the Dominions of control over foreign policy, on the other he pointed out the menace to Dominion autonomy presented by subjection to the authority of a body in which they would constitute a standing minority. "It is a

<sup>1</sup> Cd. 5745, pp. 68-69.

<sup>2</sup> *Ibid.* p. 70.

proposition," said he, "which not a single representative of any of the other Dominions, nor I, as representing for the time being the Imperial Government, could possibly assent to. . . . On its merits this proposal is not a practical one."<sup>1</sup> In face of such a reception, all that Sir Joseph Ward could do was to withdraw his motion.<sup>2</sup>

So much for Imperial federation in 1911. The other problem, that of providing machinery for greater continuity between sessions, had, as was seen, been left unsettled in 1907, and to this question the 1911 Conference now addressed itself.<sup>3</sup> A South African resolution resubmitted the suggestion that Imperial matters should be transferred from the office of the Colonial Secretary to that of the British Prime Minister.<sup>4</sup> New Zealand proposed in six resolutions that the Dominions and Crown Colonies departments be entirely separated and headed by permanent under-secretaries, that the Imperial secretariat be merged with the former and all questions relating to the Dominions referred to it, and furthermore that the Dominion High Commissioners be informed of all matters relating to the Dominions with a view to action by their governments upon them, and be made the sole channels of communication between Dominion and Imperial governments.<sup>5</sup> The Colonial Secretary, Mr. Harcourt, in a memorandum<sup>6</sup> circulated among the Premiers,

<sup>1</sup> Cd. 5745, pp. 70-71.

<sup>2</sup> The ultra Nationalist criticism of Sir Joseph Ward's attitude is well illustrated by the following comment:

"Sir Joseph is a perfect type of an imperialist. When soaring in the vague and in the indefinite, he easily evokes ringing cheers for 'imperial unity,' for 'imperial' nebulosity, or anything else 'imperial'; but ask him which particular item of present New Zealand legislative authority he wishes transferred to London, and he is as much a Nationalist as anybody else. It was on the 25th May that Sir Joseph proposed an imperial parliament or a council (his uncertainty was as marked as that) for the regulation of common affairs, and on the 19th June he moved the resolution demanding that control of British and foreign shipping in New Zealand should be confided to New Zealand.

"Possibly, Sir Joseph may say that shipping in New Zealand waters is not a matter 'common to the whole empire.' I agree; but I ask to be told what, upon that line of reasoning, is common. The truth, of course, is that the interests of the various kingdoms are not only almost always different, but very frequently quite conflicting. And the only method of dealing with them is that which time and experience have provided us with, namely separate and independent parliaments" (J. S. Ewart, *Kingdom Papers*, No. 8, vol. i. pp. 228-229).

<sup>3</sup> For this discussion, see Cd. 5745, pp. 75-95, 173-194.

<sup>4</sup> *Ibid.* pp. 3-4, 75.

<sup>5</sup> *Loc. cit.*

<sup>6</sup> Cd. 5746-1, pp. 212-214.

advanced a still more definite scheme for the establishment of a "standing committee of the Imperial Conference," to consist of the political and permanent heads of the Colonial Office, the Assistant Under-Secretary for Dominions, the Secretary to the Conference and the High Commissioners or other representatives of the Dominions. The functions of this committee would merely be "advisory of the Colonial Secretary and informative of the Dominions" (hence it need not have voting power nor keep detailed minutes) and would relate solely to the business of past or approaching Conferences and similar appropriate matters, and each Dominion would be consulted as to its willingness to have specific questions come before the committee. Advice rendered by the committee would be transmitted by the Colonial Office to the Dominions through the Governors; the High Commissioners might also communicate with their governments direct; ordinary confidential communications between Dominions and Colonial Office would continue as heretofore.

The South African proposal to dignify the Dominions by transferring them to the administrative supervision of the British Prime Minister was successfully met by Mr. Asquith with the plea that the duties were far too onerous for him to undertake in addition to the existing responsibilities of his office. Yet his statement unwittingly constituted an excellent argument for the changes which had been urged, in one respect at least, in Colonial Office machinery. The Premier said :

I would doubt very much whether there are many people in the world who have more things on their shoulders, and I really could not, nor could anybody holding my office, conscientiously deal with what is suggested. I should be only a figurehead, and it would be a fraud to represent the Prime Minister as really honestly dealing with the work of the Dominions Department. I have some figures here which are rather instructive. For the year 1910 the correspondence of the Dominions division of the Colonial Office shows : Despatches received, 6043 ; sent out, 6028. Domestic letters received, 5310 ; sent out, 6501. That is 23,882. Besides those there is a share belonging to the Dominion Department of other papers, giving a total of 27,000. I am told of those at least 1000 had to be seen by the Secretary of State. I could not do that work, and it is no good pretending I could, nor could anyone in my position. Therefore I hope that this particular resolution will not be pushed forward. It is not from any disposition to shirk it, or indisposition to take upon myself any necessary duties,

but because it could not be done ; and I expect all my fellow Prime Ministers would agree with me in that.<sup>1</sup>

Discussion of the New Zealand resolutions was merged with that of the project advanced by the Colonial Secretary, to which the Conference devoted its main attention.

The principle underlying the suggested "standing committee of the Imperial Conference" should be noted. It was, though perhaps in more obvious guise, essentially that upon which, as will be seen presently, the Committee of Imperial Defence was based, and from which even the organisation of the Imperial War Cabinet at a later stage was not entirely free. The proposed agency was not an Imperial council. It was a committee advisory to the Home Government, primarily to one member of it, moreover it was a committee so weighted that the advice rendered was calculated to conform to the views of, and strengthen the hands of, that Government. So much is evident from an analysis of its contemplated membership, virtually one-half of which constituted a unit under the control of the Colonial Secretary, and the remainder of which would be strategically in an inferior position. This, too, was the feature which safeguarded the principle of ministerial responsibility. Moreover, although the function of the committee was to be "advisory" of the Colonial Secretary, it was as yet to be merely "informative," not representative, of the Dominions.

In view of its more routine duties, however—caring for interim Conference business, transmitting representations to and from the Dominion governments, and so forth—the committee would fill the place of an Imperial secretariat, a secretariat more representative than the existing organisation and more free from the stigma of Colonial Office associations, even if it fell far short of Mr. Deakin's criteria. It marked a sufficient advance in this respect to win Imperialist favour. The increasing recognition accorded the Dominion High Commissioners in this connection is a further noteworthy feature. Although Mr. Harcourt brushed aside the New Zealand proposal to make these officials the sole media of communication on the ground that it would vitiate the principle of ministerial responsibility and embarrass both the Colonial Secretary and the Dominion Governors,<sup>2</sup> yet the

<sup>1</sup> Cd. 5745, p. 95.

<sup>2</sup> *Ibid.* p. 76. Within fifteen years the principle involved in this suggestion had won full recognition.

discussion in fact adumbrated later proposals to employ them in a quasi-ambassadorial capacity as representatives of the Dominions in London.

Although Sir Joseph Ward criticised the dual mode of communication it provided,<sup>1</sup> the proposed standing committee of the Imperial Conference was endorsed by the representatives of Australia and New Zealand. It was urged that the existing system was incomplete, that an adequate bridge between Conferences was becoming more and more necessary now that the British Government was beginning to take the Dominions into its confidence.<sup>2</sup> The value of such a committee in connection with minor Imperial issues was especially stressed. Matters such as patents, copyright, merchant shipping or immigration required a great amount of detailed investigation and conference before any uniform practices could actually be put into operation. Under existing conditions each Conference found matters just as the preceding Conference had left them.<sup>3</sup> The Colonial Secretary could not well presume to take action upon them in the interim without advice from the Dominions. Although questions between the Colonial Office and a single Dominion could be settled by correspondence, this device proved inadequate where several countries were concerned; the length of the journeys involved, on the other hand, militated against frequent subsidiary Conferences.

The representatives of Canada, Newfoundland and South Africa opposed the scheme, and expressed themselves as satisfied with existing arrangements. The committee could accomplish nothing which might not as well be done by correspondence,<sup>4</sup> informal conferences of the Colonial Secretary and High Commissioners, and the subsidiary Conferences. Several practical

<sup>1</sup> Cd. 5745, pp. 80, 176.

<sup>2</sup> Thus the Australian representatives complained that when they had asked to be consulted prior to being committed to the Declaration of London, they were informed that it was then too late to make alterations, hence they had refrained from forwarding suggestions (*ibid.* p. 90; *infra*, ch. iv.).

<sup>3</sup> Sir Joseph Ward adduced, for instance, that the Conferences of 1902 and 1907 had resolved in favour of uniformity in naturalisation procedure, but nothing had been accomplished owing to the absence of machinery for adequate discussion of the more specific problems involved. He also feared that the pressing issue of merchant shipping legislation was about to be left in abeyance for another four-year period (*ibid.* pp. 190-191).

<sup>4</sup> Sir Wilfrid Laurier chose to adduce in this connection the resolution of the difficulty between the British and Canadian Governments over the composition of the Alaskan boundary tribunal (*ibid.* p. 84).



objections were pointed out. The High Commissioners were primarily business agents, and if they were used as representatives on this committee, a different type of man would probably be needed. Merely allowing a Dominion to send a different representative, if desired, prevented uniformity and did not solve the problem of their status. If they were to be simply mouthpieces of their governments, matters could just as well be handled by correspondence ; if, on the other hand, they were to be allowed discretionary authority, they might embarrass their governments. The new body, if it was to amount to anything, must tend to interpose itself between the governments. Presumably the committee would not be members of the Conference, hence their relations with it would be embarrassing ; their recommendations might be ignored, and they would also be handicapped in their work by ignorance of proceedings in the Conference.

One doubts whether these difficulties would have appeared insuperable, even grave, to men not out of sympathy with the principle of the proposal. The real objection lay deeper. General Botha indicated it when he said, "it might lead up to that Imperial council which I very strongly object to."<sup>1</sup> Sir Wilfrid Laurier bared the root of the Nationalists' antipathy to the existence of any permanent body (other than the obsolescent Colonial Office) which would have authority even to recommend. He pointed out the influence which even such an agency was in a position to wield over the discretion of the constituent governments—to him a very practical objection :

If you have a recommendation sent to you and you do not act upon it, you give a weapon at once to somebody to attack you upon it. There is such a position in Canada. I do not know that there is one in New Zealand, but I would not like a committee to pass and send to us a resolution which we could not act on. Take a concrete case. Take the Asiatic question : there is no more difficult question than that to deal with. The Home Government has views upon this question which perhaps we do not entertain. They have difficulties in India which they must take cognisance of, but we have difficulties in our countries also. You have questions of this kind debated by this committee and they pass a resolution and send it to you and me and Mr. Fisher, calling for either administrative or legislative action which for my part I would not like to take, perhaps, or it might be suitable to you and not suitable to another. I do not see clearly what good point could be served. I see very clearly what adverse point

<sup>1</sup> Cd. 5745, p. 178.

might be made. . . . I still adhere to the position I took up four years ago, that the relations between the Dominion Governments and the Imperial Government should be carried on by themselves.<sup>1</sup>

Too much Imperialism on the part of Laurier in following such recommendations would have enabled Bourassa to steal Quebec from him, and this in turn would have allowed men more Imperialistic than he to capture the government of Canada. Ignoring such a committee's recommendations, on the other hand, might have left him little but Quebec. Difficult indeed it was to steer a middle course, keep himself in office, preserve a united Canada, and work towards that outcome in Imperial relations which, even irrespective of immediate political exigencies, Sir Wilfrid had in view. The evolution of the British Empire has been conditioned by just such circumstances in the domestic politics of its various parts, and in face of them the wider outlook and aims of the Imperialists have been powerless. Although the discussion of providing greater continuity between Conference sessions had no doubt further clarified the issue, yet the resolutions of New Zealand and South Africa and the project of the British Government were all withdrawn, so that the actual situation remained as before, unsettled.

### *The Conference Organised on a Confederate Basis*

Thus far the purely negative aspect of the Conference discussions has been emphasised, the repudiation of proposals which looked to the ultimate federation of the Empire as their objective. So definitely and repeatedly had this principle been passed upon, under the several guises in which it was presented, that the issue may well be regarded by this time as settled—despite the fact that for a decade longer Imperialists cherished lively hopes of eventually achieving their ideal, that the most thoroughly organised movement yet launched for its attainment was already under way, and that the co-operative effort and enthusiasm inspired by the greatest crisis in Imperial history was soon to rouse Imperialist aspiration and activity to a height never before reached. How conclusive had been the action taken

<sup>1</sup> Cd. 5745, pp. 86, 181. Even Sir Joseph Ward, apparently for the same reason, objected to the committee's having voting power, and Mr. Fisher in addition opposed their keeping any record of proceedings (*ibid.* p. 89).

by the various Conference sessions becomes more apparent when we turn to consider the more positive and constructive aspect of their decisions regarding Imperial organisation. While decisively rejecting on the one hand the federal alternative to Colonialism, the Premiers had at the same time registered a series of decisions which effectively determined the lines of future development. These principles of Britannic relationship were worked out in the course of determining the organisation, procedure and functions of the Imperial Conference itself. In this respect their achievement was definite and complete, has undergone no substantial modification subsequently, and should not be obscured by their merely negative and inconclusive action on the other problem of securing continuity between sessions ; in fact, their dilatoriness in the latter regard seems mainly due to Nationalist unwillingness to obscure or prejudice their decisions upon the major issue.

The Imperial Conference arrogated to itself from the outset authority to determine its own organisation, procedure and functions. Furthermore, it is interesting to note that, although it did not for twenty years after its first session demand the character and dignity of a separate and continuing Imperial agency, yet it always regarded itself as the embodiment of Dominion autonomy and an organ distinct from and not subordinate to any department of the Home Government. At first, it is true, it resembled more than anything else an augmented departmental committee of the Colonial Office, intended as a vessel for the reception of proposals from Downing Street, and the responsibility and initiative rested mainly with the Colonial Secretary. But the overseas representatives progressively became more assertive, and the Conference won for itself recognition as the agency of Imperial co-operation which overshadowed all others. Definiteness of organisation came gradually, almost adventitiously, as the earlier meetings were incidental to the assembling in London of Colonial statesmen upon Imperial ceremonial occasions. In 1897 it was unanimously resolved that periodic Conferences were advisable. In 1902 it was declared desirable that the intervals between sessions should not exceed four years, and in 1907 the quadrennial period was definitely fixed after considerable discussion. This decision was loosely adhered to, even for a confederacy, however. Extraneous

circumstances operated to postpone and then to multiply the meetings, until at one time it looked as if sessions might be annual.<sup>1</sup> The pre-eminence of the Imperial Conference was asserted in the distinction between regular and special or subsidiary Conferences, which was implied in the 1902 resolution and specifically recognised in that of 1907. In 1911 Premier Fisher of Australia strongly urged that the Conference should occasionally meet outside the United Kingdom,<sup>2</sup> but save for the session of 1894 in Ottawa, this has not thus far been found practicable.

In 1907 Sir Wilfrid Laurier demanded for the Conference the dignity of a self-sufficient conference of governments, not that of a mere departmental committee. The readiness with which his characterisation was adopted and reiterated by both British and Dominion spokesmen, and then incorporated by them in the opening sentence of their first resolution, definitely repudiated any remnant of Colonialism in its status.<sup>3</sup> This feature of a confederacy was already established practice, however, for it had been impliedly recognised as early as the session of 1894 by a resolution "that in the business of this Conference the voting shall be by Colonies."<sup>4</sup> The principle was reaffirmed by the provision in the resolution of 1907 that in the Conference each government should have one vote.<sup>5</sup> A corollary of this

<sup>1</sup> Cf. resolution of 1921 Conference, Cmd. 1474, pp. 9-10. In all eleven Imperial Conference sessions have thus far been held, viz. 1887, 1894, 1897, 1902, 1907, 1911, 1917, 1918, 1921, 1923, 1926. Technically, of course, the sessions of 1917 and 1918 were those of the "Imperial War Conference," not of the regular Imperial Conference, but this distinction was a mere legalistic fiction. The name "Colonial" rather than "Imperial" was applied to the sessions prior to 1907.

<sup>2</sup> Cd. 5745, p. 7. This suggestion has been frequently revived.

<sup>3</sup> E.g. "Sir H. CAMPBELL-BANNERMAN: This is not a conference between Premiers and the Colonial Secretary, but between the Premiers and members of the Imperial Government under the presidency of the Secretary of State for the Colonies, which is a different matter.

"Sir W. LAURIER: This conference is not, as I understand it (I give my own views) a conference simply of the Prime Ministers of the different self-governing Colonies and the Secretary of State, but it is, if I may give my own mind, a conference between government and governments; it is a conference between the Imperial Government and the governments of the self-governing dependencies of England" (Cd. 3532, pp. 5, 7).

Later on, in the 1917 and 1918 Imperial War Conferences, by the emphasis of the various speakers upon their being representative of British nations, the confederate principle was again asserted, this time against the idea of federation.

<sup>4</sup> C. 7553, p. 26.

<sup>5</sup> Cf. 1917 Conference; Chairman's opening remarks: "He suggested that the rules as to voting by States should be maintained." The use of the word "States" here is interesting (Cd. 8566, p. 9).

same assertion was the proposal, successfully advanced in 1907, that the Presidency of the Conference should be vested in the Prime Minister of the United Kingdom, as *primus inter pares*, and not in the Colonial Secretary, a mere associate member of the British Cabinet, who, under the circumstances, would appear to be presiding over a meeting of his subordinates.

The Conference determined its own composition. Although equality of voting power was early accepted, the size and composition of each delegation involved considerable discussion. Keeping the membership small enough to allow close and informal discussion was the prime consideration. In 1894 a point relating to the admission of additional secretaries was settled by the Conference.<sup>1</sup> The question of admitting ministers in addition to the Premiers came up in 1902 under Chamberlain, and he ruled that they should be admitted only by unanimous consent. It was held that the Conference was distinctly one between Prime Ministers and the Secretary of State.<sup>2</sup> In 1907 Sir Wilfrid Laurier urged that his two colleagues from Canada be allowed to attend, and Mr. Deakin supported him in the argument that since each government had one vote only, it mattered little how many representatives of each Dominion were present. The idea of admitting additional ministers, of course, was that they should aid the Premiers with their special knowledge; it was also understood that they should participate in the discussions when questions relating to their particular portfolios were raised. The Chairman, Lord Elgin, objected to any considerable increase in the size of the Conference, as it would tend to preclude that intimacy of discussion which was characteristic when eight men only sat round a table. The compromise was that one minister in addition to the Premier should have the right to attend and speak upon matters with which he was especially cognisant.<sup>3</sup>

When the problem was again raised as to future Conferences, Sir Wilfrid urged the attendance of a maximum of three ministers in addition to the Premiers. Sir Joseph Ward noted that this would place the distant Colonies at a disadvantage. The final decision was that each government, save by special permission of the Conference, should be represented at any one time by no more than two spokesmen, who would be members of the

<sup>1</sup> C. 7553, p. 60.

<sup>2</sup> Cd. 3523, pp. 15-16.

<sup>3</sup> *Ibid.* pp. 15-17.

Conference.<sup>1</sup> When additional persons, such as permanent secretaries of departments, attended to furnish special information, they were not rated as members of the Conference and were precluded from discussions of policy.<sup>2</sup> There was a further reason for care in determining the composition of the Conference. In order to give weight to their decisions, it was necessary that the discussions and decisions should be confined to responsible representatives of governments commanding parliamentary majorities at home, and able to carry into effect the policies which they had endorsed. Without this no confederacy could have vitality. It is true such a limitation gave a party complexion to the Conference which frequently evoked criticism, and the periodic suggestion that representatives of parties other than those in power should participate in its proceedings.<sup>3</sup> Such an arrangement, however, if applied to the congress entrusted with the conduct of ordinary Imperial relationships, would deprive that body of all semblance of responsible action. The decision of 1907 was undoubtedly a wise one.<sup>4</sup>

<sup>1</sup> Cd. 3523, pp. 53-56, 60; Jebb, *Imperial Conference*, vol. ii. pp. 75-76.

<sup>2</sup> Cf. Chairman's reference to limitations imposed on the Permanent Secretary to the Treasury, during discussion of double income tax in 1917 Conference (Cd. 8566, p. 74).

<sup>3</sup> With one exception, apparently, these invariably came from the Opposition side of the House. The most notable instance was the abortive effort of Colonial Secretary Thomas in 1924, after the repudiation by the Labour Government of the Conference recommendations regarding preferential tariffs and the Singapore Base, to secure continuity of Conference policy by associating Opposition leaders in their decisions (*infra*, ch. ix.).

<sup>4</sup> An important constitutional point arose in the 1917 Imperial War Conference. In order to permit at that session representation of the Indian Government, which was omitted by the Constituent resolution of 1907, the word "War" was added to the title of the assembly, and the theory adopted that this was not a meeting of the regular Conference. In order, moreover, that at the next regular session India should be included, Sir Robert Borden introduced a resolution which savoured of an extra-constitutional means for accomplishing this. This War Conference was to recommend modification of the 1907 resolution so as to include full Indian representations at the next Conference, and the assent of the various governments to this was to be obtained in the interval. Premier Massey very properly argued that "if any change is made it must be made by the Imperial Conference itself," and that they should not, as the War Conference, interfere with the proceedings of the other body. Sir Joseph Ward's idea for circumventing this difficulty and preserving the letter of constitutionality apparently was that after the road was opened by the passage of the resolution and the assent of the governments, the Imperial Conference should at the first meeting of the next session pass the necessary amendment to the 1907 resolution, then the Indian representatives (who, presumably, would be waiting at the door) could be admitted. Mr. Massey's scruples were sufficiently allayed to enable him to second the Canadian resolution, which was carried. Political exigencies relating to India necessitated this acceleration of the regular procedure, in fact immediate

The Conference also determined its own procedure. Settlement of such questions as a rule involved little debate, the suggestions of the representative of the Home Government in the Chair were usually adopted without comment. Meetings were normally held on about three forenoons a week, beginning at eleven, though not always on the same days, as mutual convenience rather than rigid arrangements ruled. The order of business was largely determined as the Conference proceeded.<sup>1</sup> As the major questions came up for discussion, it was usual for the spokesman of each Dominion to state his views in turn in a brief address, but in such a small, informal gathering, questions, objections, or comments were freely interjected by the other members. A definite order of precedence was accepted—the Home Government, Canada, Australia, New Zealand, South Africa and Newfoundland, with India and the Irish Free State added later (the latter preceding and the former following Newfoundland).<sup>2</sup>

The constant effort to preserve unanimity in all the decisions if not the discussions of the Conference is noteworthy. It was the regular practice to withdraw an important resolution rather than force it to a vote once unanimity was seen to be precluded.<sup>3</sup>

publication of the decision was resolved upon, in view of its political effect. Thus she has had spokesmen in the succeeding sessions. See Cd. 8566, pp. 15-16, 22, 40-46; R. Jebb, "Conference or Cabinet?" *United Empire*, vol. xi. pp. 161, 243-244.

<sup>1</sup> With successive sessions, the order of business became more stereotyped, the following arrangement (1917) having become characteristic:

"It was decided that: (1) Each government should have one vote, but that every representative should have the right to speak. (2) The Chairman should issue to the Press reports of the meetings of the Conference, but should give no details of the business done. (3) The time of meeting should be Monday, Wednesday, and Saturday, at 11 A.M. (4) A sub-committee consisting of Sir R. Borden, Mr. Massey, General Smuts, and Sir J. Meston, with the Chairman, should determine the order of business" (Cd. 8566, p. 11; see also Cd. 3523, pp. 14-15, and Cd. 9177, pp. 20-22).

<sup>2</sup> This order was formally recognised by the 1926 Conference. See Cmd. 2768, p. 23.

<sup>3</sup> E.g. in regard to the Naval Defence resolution at the 1907 Conference:

"Sir WILFRID LAURIER: We, of the different Dominions beyond the seas, have tried to be unanimous up to the present time. I am sorry to say this is a question upon which we could not be unanimous. Therefore, Dr. Smartt can move if he chooses, or withdraw it. But if he presses it I shall have to vote against it.

"Dr. SMARTT: I am absolutely in the hands of the Conference. I do not want to press a resolution that is not likely to meet with the general approval of practically everybody on the Conference, especially a resolution of this particular character. We might, perhaps, let it stand over until the next sitting. Between this and Tuesday I may be able to modify it in some way to meet Sir Wilfrid's view" (Cd. 3523, p. 543).

This deliberate effort to avoid rousing opposition, in fact, seems to have tended, on occasion, to obfuscation in discussion. One is tempted to believe, from the printed records, that speakers did not always reveal the full implications of their proposals, and that their most fundamental objections did not always rise to the surface. "Party politics," to a remarkable degree even for such an assembly, were successfully excluded, although on an issue such as Imperial tariffs, upon which the parties represented by the various governments held decided views, the influence of election returns upon the convictions of the debaters is evident.<sup>1</sup>

The question of the publicity which should be afforded the proceedings of the Conference arose perennially. Very little of what was done and almost nothing of what was said in most sessions has come down to us. Even where the discussions have been recorded at length, as in 1887, 1894, 1907, and 1911, we have, of course, no record of those private and informal conversations between individual members during which the really vital agreements and compromises characteristic of all such gatherings were made. Although no particular government was conspicuous for consistent opposition to publicity, it is significant that in general the Nationalists were, affording marked contrast to the Imperialists in this respect. In 1894 Mr. Foster of Canada favoured it;<sup>2</sup> in 1907 Mr. Deakin urged admitting the Press, and in 1911 New Zealand introduced a resolution with this object.<sup>3</sup> On the other hand the suppression of the record of 1902 was in deference to Canadian wishes,<sup>4</sup> and Sir Wilfrid Laurier opposed the publicity proposals of 1907 and 1911.<sup>5</sup> His argument was very practical, especially in view of the Canadian political situation, namely that within the Conference chamber

<sup>1</sup> Jebb, *Imperial Conference*, vol. ii. p. 180; cf. appeal for exclusion of party politics by Mr. Asquith, in opening the 1911 Conference (Cd. 5745, p. 23).

<sup>2</sup> C. 7553, p. 257; so also did Sir Robert Borden in 1918 (Cd. 9177, p. 21).

<sup>3</sup> Cd. 5746—1, pp. 3-4. Mr. Deakin argued as follows: "I trust that in this Conference we shall realise that although we have been likened and happily likened to a Cabinet of Cabinets, we differ absolutely from all Cabinets inasmuch as we have not a title of executive power; neither legislative nor executive authority is ours; and therefore the strict confidence necessarily observed in Cabinets has no analogical relation to the proceedings here. There are always risks in regard to publicity, and there are some matters in which reticence and private discussions are undoubtedly desirable; but it appears to me that the major part of the subjects for our discussion are not of that kind" (Cd. 3523, p. 9).

<sup>4</sup> Cd. 1723.

<sup>5</sup> Cd. 3523, pp. 19-20; Cd. 5745, pp. 28-32.



they had left party politics behind, their purpose was through discussion to reach unanimous decisions, and that airing the differences which developed while this aim was being sought could serve no useful purpose. Thus, in contrast to Mr. Deakin, he regarded their sessions, in this respect at least, much as Cabinet meetings.<sup>1</sup> The Press was not admitted, but the usual course was to issue a précis after each meeting; the official report, and, where publicity was decided upon, the complete record was published later.<sup>2</sup>

Even more important than the determination of organisation and procedure, was the delimitation by the Conference of its own functions in relation to Imperial issues. Although at first it played a humble rôle, and relied mainly upon the initiative of the Colonial Office, it was not content long to remain a mere Colonialist assembly. Prior to the sessions there was correspondence between the Colonial Office and the Dominion governments relating to the business to be discussed. Topics were suggested and proposed resolutions submitted. From these the agenda list was made up by the Colonial Office, which continued this function after the failure in 1907 of the attempt to create an Imperial secretariat for the purpose of attending to such business. In this manner and in the Conference itself the Dominions frequently insisted on raising issues which the Home Government clearly would have preferred not to have discussed. There was the question of denouncing the treaties with Belgium and the *Zollverein*, for example, forced upon Britain by Canada's desire to inaugurate a British preference. Mr. Foster, at the 1894 Conference, adopted a distinctly modest line of argument in urging this. He said :

We are a Colonial Conference : we are brought here to look after Colonial interests first : we are not an Imperial Conference : we are here as a Colonial Conference : we are here to press what we think would be for the Colonial advantage, to press it upon the only one that could give it to us, that is Great Britain. Is there anything wrong in asking Great Britain, if she can see her way clear to do it, what we think would be an advantage to the Colonies, especially when we have preceded that by an earnest request that she shall give us the power to carry out this very thing ?<sup>3</sup>

<sup>1</sup> Cd. 5745, p. 29.

<sup>2</sup> See the summary of publicity arrangements in Cd. 9177, p. 225 ; for discussion (1918), *ibid.* pp. 25-28.

<sup>3</sup> C. 7553, p. 210.

In the 1907 Conference, in contrast, the Dominions made no bones about their efforts to argue the Home Government into a reversal of her fiscal policy in the interests of Imperial economic unity. At other sessions, too, both before and after this crucial debate on Imperial preference, though to a less marked degree, the Mother Country was forced to listen to such pointed and unwelcome advice. The session of 1907 also witnessed the attempt to force a radical reorganisation of the Colonial Office upon the British Government, a matter which Lord Elgin clearly considered to be his own business solely. The Conference, too, insisted upon discussing problems of Imperial foreign policy, which, if we recall Asquith's famous declaration of 1911, official Britain had looked upon as a function which could not be shared with the Dominions. The 1907 Conference debated the New Hebrides Convention and the Newfoundland fisheries dispute.<sup>1</sup> In connection with the latter incident, it is very interesting to note that Sir Robert Bond appealed directly to the Conference for a verdict upon his conduct.<sup>2</sup> In 1911, again, the Declaration of London was made the subject of a determined attack, and an important concession obtained for the Dominions.<sup>3</sup> In short, the Imperial Conference steadily arrogated to itself the status of the official forum for the discussion of whatever matters of Imperial interest it was thought desirable to bring up. It became the congress of the Empire to which a Dominion might appeal, even against the legally sovereign Home Government.

Equally significant, however, were the limitations which the Imperial Conference imposed upon itself. As already stated, the most characteristic feature of a confederacy is the fact that its congress is powerless to execute its own decisions; this duty remains with the component governments. These decisions, therefore, are merely advisory resolutions, inoperative until made effective by the action of the local legislatures. That the Imperial Conference operated under just such limitations was repeatedly recognised and affirmed by its members, and their refusal to endorse any proposals which would tend to strengthen their powers—that is, which tended to Imperial federation—marked

<sup>1</sup> Cd. 3523, pp. 548-563, 587-600; *infra*, ch. iv.

<sup>2</sup> *Ibid.* p. 587; R. Jebb, *Imperial Conference*, vol. ii. pp. 272-273.

<sup>3</sup> *Infra*, ch. iv.

a determination to perpetuate this confederate principle. In the session of 1894 Sir Henry Wrixon (Victoria) said, "We are not assuming to dictate to anybody. We control nobody. The whole thing is a mere expression of opinion. Therefore, in that light, I am quite willing to vote."<sup>1</sup> Mr. Foster said: "Whatever is to be done in this country, whatever is to be done in your country or Great Britain, must be approved by the legislative bodies of these countries."<sup>2</sup> Sir Joseph Ward recognised that:

Nothing that is suggested by me, or nothing that is carried by this Conference can be put into actual effect without ratification by Parliament, and without in turn, Parliament recognising that that ratification has to be endorsed in the ordinary way by the people at the elections which take place from time to time.<sup>3</sup>

Mr. Fisher also emphasised this limitation upon their pronouncements.<sup>4</sup> This recognition of the fact that they were merely an advisory assembly of delegates from governments, without plenary authority in and of themselves, operated as a great restraint upon the individual discretion of the members. The Earl of Jersey's reply to Mr. Foster's request for endorsement of his Imperial trade resolutions in 1894 was typical of many a pronouncement:

Mr. Foster has asked me if I could give my approval, on behalf of the British Government, to those resolutions. I am afraid I must answer him that it is not possible to do that, because, were I to express approval of these resolutions, I should be to that extent stating that Her Majesty's Government would approve of them, and I cannot do that.<sup>5</sup>

Nevertheless, although these Prime Ministers were delegates of governments, they were also leaders, men of political strength at home, and directors of parliamentary majorities very much under their influence. There was ample scope in the contacts, both in and outside the Conference chamber, for exerting influence upon the policies of the various governments. The exposition of various points of view, the revelation of opinion in other parts of the Empire, could not fail to have a broadening, clarifying

<sup>1</sup> C. 7553, p. 213; *re* Imperial preference.

<sup>2</sup> *Ibid.* p. 159; *re* Pacific cable.

<sup>3</sup> Cd. 5745, pp. 48-49; *re* his Imperial federation proposal in the 1911 Conference.

<sup>4</sup> *Ibid.* p. 88.

<sup>5</sup> C. 7553, p. 203.

effect on the ideas of those who attended the sessions.<sup>1</sup> The reflex influence of the publicity afforded the proceedings, too, upon the electorates at home, amply justified the holding of the Conferences. The moral effect of the resolutions passed was very great, and fully exploited by Imperialists throughout the Empire. They imposed a moral obligation upon each government (certainly when they were unanimous) of doing its best to render them effective by its own action. If legally they were nothing but pious advice, politically they were of great importance.<sup>2</sup> This certainly explains the strenuous efforts of individual members to prevent the passage of resolutions undesirable to them personally. As Sir Wilfrid Laurier put it : " If you have a recommendation sent to you and you do not act upon it, you give a weapon at once to somebody to attack you upon it. There is such a position in Canada." <sup>3</sup> This is a realistic tribute to the political importance of Conference decisions. His Majesty's Loyal Opposition, wherever found, would be ever ready to come to the aid of the Conference should his servants seem dilatory. For this reason, too, Imperialists concentrated their efforts on the Conference, and berated its frequent unwillingness to face Imperial issues squarely.

It was the prestige of the Conference and the influence of its members, also, which concentrated upon the visiting Prime Ministers those arts for which the British socio-political class has become justly famous. In high politics, especially, the creation of an atmosphere favourable to the reception of the desired influences is of great importance. Hence the Imperial visitors were accorded an Imperial welcome throughout their stay, which threw a considerable strain upon their constitutions, if not upon their convictions as well. Attendance at three formal sessions of the Conference per week comprised but a fraction

<sup>1</sup> In his concluding speech to the 1917 Imperial War Conference, the Chairman, Rt. Hon. Walter Long, thus summarised the value of these discussions : " I am one of these who firmly believe in conferences round a table ; I believe if you can only get people, however different they may be in their views, or however opposed to each other, once round a table and get them to discuss things in a businesslike way, it is wonderful how difficulties seem to melt and obstacles to disappear, and you arrive at conclusions which, when you started your discussions, you would have thought to be impossible " (Cd. 8566, p. 129).

<sup>2</sup> Witness the trenchant denunciation from several quarters, notably from Premier Bruce of Australia, at the reversal by the Home Government of policies decreed by the Conference of 1923 (*infra*, ch. v.).

<sup>3</sup> Cd. 5745, p. 86 ; *supra*, p. 133.

of their obligations.<sup>1</sup> Nor was what would, in the United States, be termed the "social lobby" the only type of pressure exerted upon the Premiers. Every representative assembly is besieged with organised interests bent on telling the members what they ought to think, nor does the Imperial Conference seem entirely to have escaped such assistance. The most striking instance occurred in connection with the Imperial preference debate in the 1907 Conference. The British Government was committed to Free Trade. The Dominion Premiers in general represented Protectionist policies and were not averse to urging on their British colleagues the need of reversing the fiscal policy of the United Kingdom in the Imperial interest. Hoping nothing by a direct attack, Tariff Reform interests in Britain saw more possibility of success by an indirect approach through the sympathetic Dominion representatives, hence directed their attention to them, as the following record shows :

Dr. JAMESON : I have only been three weeks in England, but I have received from various associations throughout England, I believe, a little over 700 resolutions in favour of tariff reform.

Mr. DEAKIN : I have had hundreds.

Dr. JAMESON : I had them counted the day before yesterday and it was 680 then.

Mr. ASQUITH : Where from ?

Dr. JAMESON : From different parts of the country—from England. A large number of these, I am glad to say, are from working men's associations. As Sir Joseph Ward said just now, and I quite agree, this thing must work slowly, but it is working slowly, and the working man is waking up to it. When Mr. Asquith interpolated yesterday while Mr. Deakin was speaking, and asked him how much of their goods go to Germany, and how much come back, I think the working man would have answered that question very well, and said : "Quite true, we could use all that wool in England"—and that is what the working man is learning—"and we would be employed to manufacture it."<sup>2</sup>

Such a bombardment was truly a tribute to the influence of the Conference. Nevertheless, much more important than either of these types of pressure in determining the nature of opinions expressed in the sessions, was the fact that the members were all dependent on parliamentary majorities at home. The thought of the accounting to be made upon their return was

<sup>1</sup> Cf. Mr. Deakin's comment in 1907 (Cd. 3523, p. 617).

<sup>2</sup> *Ibid.* pp. 284-285.

always present to mitigate the effect both of arguments heard during the discussions and of social seductions offered them after hours. The delegates, perforce, went to the sessions with their minds made up, at least as far as major issues were concerned. Furthermore, parliamentary majorities are dependent upon the influence exerted over electorates by organised and powerful groups of opinion. Hence we must study with care all pronouncements upon Imperial issues on the part of industrial, commercial, agricultural and labour bodies, in the Dominions or at home. These, rather than academic discourses upon the Imperial problem, have determined the decisions of the Conference. It is especially significant, for example, that on the eve of his departure for the critical Conference of 1902, on which Chamberlain trained his full force, a delegation from the Canadian Boards of Trade waited upon Sir Wilfrid Laurier. One hundred and fifty-six delegates from sixty-three bodies had met in Toronto, and passed resolutions approving of existing Imperial relationships. These were presented to the Premier. "The Prime Minister gave the Committee a careful hearing, and it is perhaps not too much to say that the Conference was productive of direct results fully justifying the trouble that was taken."<sup>1</sup>

The constituent resolution of 1907, in addition to organising the Imperial Conference, had provided for the summoning of subsidiary Conferences when necessary. This section ran as follows :

That upon matters of importance requiring consultation between two or more governments, which cannot conveniently be postponed until the next Conference, or involving subjects of a minor character or such as call for detailed consideration, subsidiary Conferences should be held between representatives of the governments concerned specially chosen for the purpose.

It will be seen from this provision, first, that the Imperial Conference established for itself a pre-eminence over other consultative bodies within the Empire.<sup>2</sup> These other assemblages were to be, as their name implied, subordinate to that body which had

<sup>1</sup> Toronto Board of Trade, *Annual Report* (1902) ; President's Address, pp. 14 *et seqq.*

<sup>2</sup> The Conference did not appear to consider the Committee of Imperial Defence as a co-equal or competing organ. It treated the recommendations of the latter in the same light as suggestions from the Home Government or any other source, as advice to be rated purely on its intrinsic merits.

provided for their convocation. Furthermore, the subsidiary Conferences were to be purely *ad hoc* assemblies, without continuous existence, or a periodic time of meeting, and were to be convoked to discuss some particular matter, not the general range of Imperial interests. Hence it was natural that representation in these Conferences should also be *ad hoc*, and not *ex officio*, as in the major body. In accordance with these principles, several special Conferences have been held. Most important among them was the Imperial Defence Conference of May 1909; others during the pre-War period were: the Imperial Copyright Conference (May and June, 1910) regarding adherence by the Empire governments to the Berne Convention of 1908; an Imperial Education Conference (April 25 to May 1, 1911), which included representatives of Provincial as well as Dominion governments, and a Conference of Surveyors General on May 31 of the same year. Of recent years the principal assembly which should be classed within this category has been the Imperial Economic Conference of 1923.

The Imperial Conference has now a long and momentous record of achievement to look back upon. The concrete results of its deliberations will be summarised at appropriate points in the succeeding pages. In general it may be said that the evolution of this institution and the constitutional development of the Empire comprise one and the same movement, for in determining its own constitution, the Conference formulated that of the British Commonwealth as well. Much in the same fashion as the original model was developed, the Premiers moulded it from the viscous heritage of Little-Englandism. The time-honoured, logically symmetrical structure, so dear to the legalists, still remained, though fast crumbling to a mass of fictions. Alongside was being reared an edifice of crucial precedent, established political practice, and recognised principle which already overshadowed and was soon to supersede it. Already a constitutional practice which was founded on the new bases of relationship was asserting a validity superior to the conflicting legal principles of the old Imperial system.<sup>1</sup> Although the problem of Imperial

<sup>1</sup> Dicey's classic exposition of the utility of fiction in disguising change is even better exemplified in the evolution of the Imperial constitution itself than in that of Britain. The contrast between the customary and the merely legal so characteristic of the British as opposed to the American use of the word "constitutional," and the implied contention than on the basis of custom

organisation was still regarded as an open one, it is no exaggeration to claim that the Nationalist or confederate solution of the Britannic Question was in effect adopted and the essential features of the Imperial Constitution were set forth during the period which has just been reviewed, that in view of Resolution I of 1907 and its antecedents, for the post-War Conferences to have enunciated any other principles than they did would have been revolutionary. When the session of 1926 convened, the Premiers of the later era built upon firmly laid foundations.

Even cursory analysis of the pronouncements which have been considered reveals that the principles agreed upon were those characteristic of the central organ of a confederacy. The essentials of such a system, it will be recalled, are briefly : representation of governments as governments in a congress, the members of which are ambassador-delegates of their respective governments, not the direct representatives of electorates ; the congress to be the forum for the discussion of all matters of common interest, but its decisions to have an advisory weight only, unless and until rendered effective by administrative or legislative action on the part of the member governments, the central agency itself having no coercive authority whatever. Already the Conference organisation itself embodied these features ; during the two decades to follow the avowed relations of the British nations to one another—if not their actual status as regards foreign Powers—were to be brought into conformity with these same principles.

The intangible achievements of the Imperial Conference, on the other hand, have probably been as significant in Empire history as have those to which we can point with some definiteness. At the same time they are impossible to estimate ; to attempt to do so would mean speculating upon what would have been

there exists an Imperial constitution transcending the authority of a mere Act of the Home Parliament, was effectively set forth by Sir Robert Borden in a famous despatch regarding Dominion representation at the Peace Conference. He argued : " The question to be determined is not one of legal power but of constitutional right. This distinction is well recognised in the conventions which control the exercise of legislative power. For example the Parliament of the United Kingdom has the legal power but not the constitutional right to legislate directly in respect of Canadian affairs and in doing so to repeal *pro tanto* the British North America Acts. It is submitted that the exercise of His Majesty's Prerogative with respect to Canada must be governed by the like considerations " (Borden, *Constitutional Studies*, pp. 121-122).



the course of events and the present situation had such opportunities for the promotion of mutual understanding never been presented. Probably the fairest and most succinct appraisal of this aspect of the Conference's services to the Empire came from Sir Wilfrid Laurier. In his opening address to the 1911 Conference, this veteran of many sessions said :

It is already evident that these Conferences which have taken place from time to time, and which will now take place at regular periods, have already been productive of very important effects. They have brought more closely together the different Dominions of the British Crown and made them feel more strongly the advantages of British connection. They have produced another result ; they have shown us that whilst we are British subjects, who have interests which are common to all parts of the British Empire, there are between Dominions and Dominions and between the Dominions and the United Kingdom, differences of local interest which, unknown and ignored, tend to disintegration, but which, known and recognised, may be harmonised, and harmonised towards union.<sup>1</sup>

<sup>1</sup> Cd. 5745, p. 24.

## CHAPTER III

### COMMERCIAL TREATIES AND LOCAL POLITICAL QUESTIONS

THE roots of the controversy over the conduct of Imperial foreign relations go back to 1846. In that year the seeds of Dominion Nationalism were planted by the Russell-Grey Enabling Act, which permitted the five British North American Colonies to repeal the British duties in force within their territory. Prior to this date, fiscal policies within the Empire had been determined at Westminster. The Home Parliament itself had fixed Colonial tariffs, and there had been no occasion for foreign countries to look elsewhere regarding their commercial relations with any part of the British Dominions.<sup>1</sup>

Two other dates mark precedents which made the issue inevitable. In 1849, by the refusal of Lord Elgin to reserve for His Majesty's consideration the Rebellion Losses Bill passed by the Legislature of the United Provinces, and by the rejection by the Home Parliament of a motion to disallow this measure, the grant of full autonomy in domestic affairs to British North America was definitely recognised. Free traders in the Mother Country did not anticipate that the grant of fiscal autonomy to the Colonies would involve any diminution of British export trade. Canada, however, adopted the policy of utilising this new-found freedom to enact tariffs on a Nationalistic basis against all comers, the Mother Country included. British protests against her tariff of 1859 evoked Galt's epoch-making rejoinder to the effect that Colonial self-government included fiscal freedom or it meant nothing, that the Home Government must accept the situation or be "prepared to assume the administra-

<sup>1</sup> Ed. Porritt, *Fiscal and Diplomatic Freedom of the British Overseas Dominions*, Introduction. This book is somewhat unreliable and must be used with discretion. See review of it, by W. P. M. Kennedy, in *Canadian Historical Review*, vol. iii. pp. 367-371.

tion of the affairs of the Colony irrespective of the views of its inhabitants.”<sup>1</sup> This settled the matter. The relations of the other self-governing Colonies with the British Government were later placed upon the same basis.<sup>2</sup>

This grant of fiscal autonomy involved several important consequences. First, mercantilism was now a thing of the past, the economic unity of the Empire was destroyed. The Colonies rapidly became preoccupied, as was the Mother Country, with their own economic development. The foundations of radical divergence in fiscal policies, and of conflict of interest between various parts of the Empire, were laid. Furthermore, as the circumstances of the various British nations differed, and each framed its tariff policies to suit its own needs, their commercial relations with foreign nations tended inevitably to become those of separate units. Sir Wilfrid Laurier epitomised the course of the whole issue when he said to the 1911 Conference :

Now, when we recognise this primary fact that there is not absolute commercial unity but commercial diversity at this moment in the British Empire in so far as fiscal legislation is concerned, it is not difficult to follow the consequences of the Government in the United Kingdom making a treaty which suits its own views and its own requirements, but which will not suit the requirements of Australia, or of South Africa, or of New Zealand, or of Newfoundland, or Canada. Therefore, the principle is no longer at issue ; it has been conceded long ago, and it has been recognised that there should be that trade diversity or commercial diversity in the matter, not only of fiscal legislation, but the corollary of fiscal legislation—commercial treaties.<sup>3</sup>

The Home Government became progressively less qualified solely to represent the outer Empire in commercial negotiations. Each Colony felt that its own representatives alone understood the particular circumstances and were qualified to speak for it. The frequent divergence of interest between Mother Country and Colonies, too, weakened the confidence of the latter in her as their continuous agent. Hence we find demands on the part of the Colonies for association of their representatives with hers in the framing of commercial agreements, and later for the right

<sup>1</sup> Egerton and Grant, *Canadian Constitutional Development*, pp. 348-351 ; O. D. Skelton, *Life and Times of Sir A. T. Galt*, pp. 326-331.

<sup>2</sup> *E.g.* it was formally intimated to the Australian Governments (July 13, 1871) that the Colonial Office had ceased to protest against protectionist tariffs enacted by Colonial Legislatures. Porritt, *op. cit.* p. 186.

<sup>3</sup> Cd. 5745, p. 335.

of separately negotiating commercial treaties. At the same time, the Empire was still an international unit. The Home Government was still weighted with the responsibility of defending her scattered dominions, friction resulting from individual action by a Colony might recoil upon her, so we find not merely fears of economic disadvantage, but serious and well-founded apprehensions as to the potential consequences of decentralisation in the conduct of even commercial negotiations. Despite these fears, however, and sporadic attempts to stem the course of Dominion action, such a process of decentralisation became logical and inevitable once the crucial steps of 1846, 1849, and 1859 had been taken.

### *The Conduct of Commercial Negotiations*

The first phase of the movement towards Dominion autonomy in foreign affairs related to the process of negotiating commercial agreements with other countries, and developed in connection with Canadian relations with the United States. The Reciprocity Treaty of 1854, the first international agreement made by Britain for the specific benefit of a Colony, was negotiated by Lord Elgin, as official spokesman of the British Government. At the same time, as Canadian Governor-General, he may be said to have represented that Colony also. In 1848 W. H. Merritt, later Baldwin and Sullivan, and during the 'sixties A. T. Galt and George Brown, made visits to Washington in regard to reciprocal relations between Canada and the United States. These men can hardly be said to have had official status. When Lord Lyons was British Minister at the American capital, he strongly resented any poaching on his preserves by amateur diplomats from a Colony, and wrote a protest (January 28, 1864) to Monck, the Canadian Governor-General, avowing his intention of snubbing Brown. In contrast, Bruce, who succeeded Lyons (March 1, 1865), made no objection to association with Canadian emissaries in matters touching the commercial relations of the two countries.

An important step was taken at the meeting, in September 1865 at Quebec, of the Interprovincial Council on Commercial Treaties, representing the five British North American Colonies. This was summoned by Monck at the suggestion of the Colonias

Office, and resulted from the commercial crisis provoked by the denunciation of the Elgin-Marcy Treaty and from Colonial demands for association in commercial negotiations. It marks the first instance of the convocation by the British Government of representatives of autonomous Colonies in order to discuss diplomatic relations.<sup>1</sup> The Council passed resolutions calling for a renewal of the reciprocity treaty with the United States and the establishment of reciprocal trade relations with the British West Indies, the Spanish-American Colonies, Mexico and Brazil. A demand was also made that the Council, or a committee of it, be authorised to proceed to Washington and associate themselves in an informative and advisory capacity with the British Minister, regarding the interest of British North America.<sup>2</sup>

This latter demand was promptly assented to by the Colonial Office, and Galt and three other delegates were deputed to Washington (January and February, 1866). It must be noted that this attempt of the Canadian mission did not look to a formal treaty, but to an arrangement calling for concurrent legislation by the governments involved. Hence their relations were not with the American Department of State, but with the Treasury, and the House Committee of Ways and Means. Thus, although the Canadian delegates consulted with Bruce before calling on the Secretary of the Treasury, acted with his sanction, and kept him informed, usually in writing, of the progress of the negotiations,<sup>3</sup> their mission was in a measure informal, and did not raise those problems of participation by Dominions in Imperial treaty-making which have subsequently become so significant.

Another important step in the same direction, resulting from a meeting between the British Foreign Secretary and the American Minister in London, was an arrangement looking to the negotiation of a second formal reciprocity treaty between Canada and the United States. It was agreed that Bruce was to be authorised to act in conjunction with the American Secretary of State, after consultation with the Colonial representatives, as the Colonies "had now substantially reached such a position of independence as to make it unadvisable for the

<sup>1</sup> Porritt, *op. cit.* p. 177.

<sup>2</sup> *Ibid.* pp. 177-178; cf. Skelton, *op. cit.* pp. 390-394; Pope, *Memoirs*, vol. i. pp. 292-369.

<sup>3</sup> Porritt, *op. cit.* pp. 179-180.

Government here (London) to attempt to act without regard to them.”<sup>1</sup> Tense relations between the United States and Great Britain, however, forced a postponement of this treaty.

The efforts of the Interprovincial Council to open reciprocal trade relations with Cuba, Mexico and Brazil through the medium of their own representatives involved a complicated procedure. The status which it was seen fit to accord Colonial envoys at this period was clearly defined in a despatch of November 11, 1865, from the Foreign Office to the Colonial Office :

His Lordship (The Earl of Clarendon) concludes that, as regards foreign countries, the agents who may be sent from the British North American Colonies will not assume any independent character, or attempt to negotiate and conclude arrangements with the governments of foreign countries, but will only . . . be authorised to confer with the British Minister in each foreign country, and to afford him information with respect to the interests of the British North American Provinces.

The Foreign Office, after receiving copies of the instructions to the Colonial delegates, would instruct the British Ministers to assist the latter in their inquiries as to possible openings for trade and to ascertain the probable attitude of the foreign governments towards their overtures. Next, the Lords of Trade were to be consulted as to the compatibility of the proposed arrangements with the treaty obligations of the Crown. This point being satisfactorily determined, instructions might then issue and full powers be granted to the British Ministers with a view to the conclusion of engagements satisfactory alike to the Colonies and the foreign governments concerned.<sup>2</sup>

Thus the principal concern of the Home Government was still for the integrity of her own commercial commitments, and of her own control over the process of negotiation. However, the right of the Colonies to initiate and share in the negotiations, and the duty of the British agents to co-operate with them, were recognised. The Provinces accepted these conditions and appointed delegates who visited the countries with which reciprocal relations were desired, but no agreements were found practicable.<sup>3</sup>

In 1874 George Brown, founder of the *Toronto Globe*,

<sup>1</sup> Porritt, *op. cit.* p. 186 : Adams' despatch to the State Department (May 10, 1866).

<sup>2</sup> *British Parliamentary Papers* (1873), C. 703, p. 15.

<sup>3</sup> Porritt, *op. cit.* pp. 183-185.

was appointed co-plenipotentiary with Sir Edward Thornton, the British Ambassador at Washington, in an effort to secure a renewal of the reciprocity treaty of 1854. Brown's status was a sequel to Canadian dissatisfaction with the conduct of negotiations leading to the treaty of Washington. In this case a draft treaty was signed, but failed of ratification by the United States Senate.<sup>1</sup>

Galt undertook a trade mission to Paris and Madrid in 1878-79. He was then Canadian High Commissioner in London, and in this connection the British Government was asked to appoint him Commissioner to act with the British plenipotentiaries when treaties affecting Canada were under negotiation. Sir Michael Hicks-Beach, the Foreign Secretary, refused this request, stating, nevertheless, that if the Canadian Government desired to send someone enjoying their confidence to advise with the Home Government or the Ambassador regarding matters which might arise during the negotiations, "Her Majesty's Government will be happy to give attention to his representations."<sup>2</sup> Lord Salisbury's instructions to Lord Lyons at Paris should be noted, however, as they mark a forward step in the evolution of the status of Dominion representatives in such cases. The British Ambassador was informed that: "The formal negotiations between the governments of this country and of France on the subject should be conducted by your Excellency, the settlement of the details of the arrangement being dealt with by Sir Alexander Galt."<sup>3</sup>

The typical roundabout procedure which these negotiations involved illustrates the exigencies of a system under which the Dominions occupied legally, and to a great extent administratively as well, a Colonial status. The Canadian Government stated its desires to the Colonial Office; the Colonial Office requested the Foreign Office to act; the Foreign Office instructed the British Minister at Paris or Madrid to put the Canadian

<sup>1</sup> Alex. Mackenzie, *Life and Speeches of George Brown*, pp. 135-138, 357; Jno. Lewis, *George Brown*, pp. 225-233.

<sup>2</sup> Sir Charles Tupper, *Recollections of Sixty Years*, p. 174; Keith, *Selected Speeches and Documents*, vol. ii. pp. 143-155.

<sup>3</sup> Skelton, *op. cit.* p. 520. It was charged by Hon. L. P. Brodeur in the Canadian House that the failure of these negotiations was due to Lord Lyons' insistence on a reduction of the French duties on cutlery and razors, in the interest of British, not Canadian, manufacturers. Canada, *House of Commons Debates*, session 1907-08, col. 1389.

emissary in touch with the proper officials at these capitals, and the negotiations could proceed.<sup>1</sup> The inconveniences of such a system, particularly as regarded relations between Canada and the United States, were apparent to the other side in the negotiations. For instance, in connection with the fisheries question of 1888 Mr. Bayard, the American Secretary of State, as other far-sighted representatives of his government have frequently done, lent encouragement to independent action by the Dominion. In a letter to Tupper he complained of the delays and circumlocutions due to the imperfectly developed sovereignty of Canada. "It is evident that the commercial intercourse between the inhabitants of Canada and those of the United States has grown into too vast proportions to be exposed much longer to this wordy triangular duel, and more direct and responsible methods should be resorted to."<sup>2</sup>

In connection with a second unsuccessful attempt to establish reciprocal relations with Madrid (1884) Sir Charles Tupper gained the right to power co-ordinate with that of the British Minister. "If the Spanish Government are favourably disposed," directed the Foreign Office, "the full power for these negotiations will be given to Sir Robert Morier and Sir Charles Tupper jointly. The actual negotiations would probably be conducted by Sir Charles Tupper, but the Convention, if concluded, must be signed by both plenipotentiaries."<sup>3</sup> By these instructions, the representative of the Home Government was relegated from the dominant to a secondary rôle. Obviously this constituted a highly important precedent, considered by some to be the crucial precedent in the negotiation of commercial treaties.<sup>4</sup>

Tupper's technically most complete diplomatic venture for Canada was the negotiation of a reciprocity Treaty with France in 1892-93. Canada felt that her trade was being unjustly discriminated against as compared with that of the United States, so requested the Home Government to appoint the High Commissioner as joint plenipotentiary with the British Ambassador

<sup>1</sup> Skelton, *op. cit.* pp. 519-522.

<sup>2</sup> Tupper, *op. cit.* pp. 177-178 (May 31, 1887).

<sup>3</sup> Foreign Office letter of July 26, 1884, Tupper, *op. cit.* p. 175.

<sup>4</sup> See Statement by R. L. Borden, during debate on the Franco-Canadian Treaty of 1907. Canada, *House of Commons Debates*, session 1907-08, cols. 3515-3523.



in Paris, in order to secure for Canada the benefits of the French minimum tariff. Sir Joseph Crowe, British Trade Commissioner attached to the Embassy Staff, was associated with Sir Charles on the Ambassador's suggestion. "Though," said the latter, "I am quite willing myself to assist the High Commissioner in the discharge of his task, as far as may be in my power." Whereas in 1884 Tupper would have signed the treaty had one resulted from the negotiations, in this case he actually did sign jointly with the British Ambassador.<sup>1</sup>

There has been some question as to the degree of independence enjoyed by Sir Charles during these proceedings.<sup>2</sup> Lord Dufferin, the Ambassador, remained distinctly in the background.<sup>3</sup> Tupper himself claimed credit for the negotiations, but he discussed all points thoroughly with Sir Joseph Crowe. This was natural, however, as the latter appears to have been associated with the Canadian Commissioner owing to his superior knowledge of French. It would seem, therefore, that in this case actual independence in negotiation was achieved by the Dominion, within those limits prescribed by care for the commercial interests of the Mother Country.

Meanwhile Cape Colony had arranged a customs union with the Orange Free State, on the basis of concurrent legislation (1889),<sup>4</sup> and Newfoundland had concluded a commercial treaty with the United States, which, however, had been objected to by Canada, and vetoed by the British Government (1890).<sup>5</sup> Apart from these, thus far Canada alone had undertaken commercial arrangements abroad.

The problem of Colonial participation in the negotiation of

<sup>1</sup> Keith, *Responsible Government in the Dominions*, 2nd ed., p. 854; British House of Commons, Return No. 129 (April 1910), pp. 3-7.

<sup>2</sup> See debate in the Canadian House of Commons on the Franco-Canadian Treaty of 1907. Canada, *House of Commons Debates*, session 1907-08, cols. 1262-1263, 1387-1392, 3493-3620, 3636-3653, 4317-4357, 4372-4376; especially speeches of Laurier, Brodeur, Foster, R. L. Borden, Monk.

<sup>3</sup> "GEO. E. FOSTER: I was present in Paris whilst the negotiations were in progress, not all the time but for a considerable time, and I absolutely know, of my own knowledge, that Lord Dufferin did nothing more in the carrying on of those negotiations than to appoint the meetings, introduce Sir Charles Tupper, and consult with him whenever Sir Charles wished" (*ibid.* col. 1262).

<sup>4</sup> Porritt, *op. cit.* p. 192.

<sup>5</sup> J. W. Longley, *Sir Charles Tupper*, pp. 199-205. Imperial Conference 1907 *Proceedings*, Cd. 3523, pp. 592-593; Sir Robert Bond was again deputed to Washington and negotiated the Bond-Hay Treaty (1902) which failed of ratification by the United States Senate.

commercial treaties affecting their interests had by these precedents reached a stage at which we would expect to find some definite formulation of policy for the future. The meeting of the Colonial Conference at Ottawa in 1894 furnished the opportunity for a general expression of opinion upon the matter, and in Lord Ripon's despatch of the following year we find a statement of the principles which, in the opinion of the Home Government at that time, should govern the conduct of such negotiations.

In view of the opportunity which was afforded for a thorough examination of the problem from the Colonial point of view, the brevity of the discussion and the nature of the opinions expressed in the 1894 Conference<sup>1</sup> indicate that this aspect of Imperial relationships was not yet considered as a vital issue in the outer Empire. There seemed to be general satisfaction at developments thus far. No outstanding grievances in this connection were revealed. Imperial commercial relations and certain treaty commitments related thereto, rather than the technique of negotiation, held the stage. True, Sir Henry Wrixon, Mr. Suttor, and Mr. Lee Smith<sup>2</sup> all expressed a desire that the privileges of participation in commercial arrangements then enjoyed by Canada and the Cape should be extended to the Australian Colonies also. At the same time there was a distinct reprobation of independent treaty-making by the Colonies or any tendency which would weaken Imperial unity. Mr. Fitzgerald pointed out that in the Confederation Convention at Sydney in 1891 there had been a long and animated debate on this point, and general agreement that no such power should be accorded them.<sup>3</sup>

The consensus of Colonial opinion at the Conference is perhaps best expressed in this statement by the leading Canadian representative, Hon. George E. Foster :

I am of the opinion that, so long as the Colonial relation exists, the power to negotiate our own treaties, while we are a part of the Empire, is undesirable and impossible. I think it would be the death-blow to unity. It was stated that there are not many in Australia or the Australasian Colonies who would be in favour of such a view. Unfortunately, we have quite a number in this country who urge that

<sup>1</sup> C. 7553, pp. 67-82.

<sup>2</sup> Representing Victoria, New South Wales, and New Zealand respectively.

<sup>3</sup> C. 7553, p. 79.

view, and we have had the advantage of taking it up in Parliament, and having it discussed on several occasions, and on all these occasions the overwhelming sense of the country and Parliament has been that it would destroy the idea of Imperial unity and the relation which has existed between the Colonies and the Mother Country, and that, if we chose to throw aside the protection and advantage that we get from the Mother Country, we can exercise the power to negotiate our own treaties, but if we wish to keep the first, then we had better take the sensible plan of having our treaties negotiated as they are now. What would take place if we had the power? The very moment that we had the right conferred upon us to negotiate a treaty, we would exercise that right with, say, the United States of America. But the very moment that we sat down to negotiate a treaty with the United States of America, what would take place? It would be said, "You give us certain duties on this, and we will give you certain duties on that, but what we give to you will be exclusively for you and what you give to us must be exclusively for us." What does that mean? Immediately we would have to discriminate against Great Britain herself, and the moment we did that, and the trade of Great Britain were greatly affected by it, it would raise a question with the British Government, and what would be the result? Immediate collision. If once the Parliament of a great dependency as Canada or Australia had decided that it would do so and so for the best interests of the country it could not recede from that position, and consequently there would be collision. I am entirely at one, and so are the people of Canada, as well as the Parliament of Canada, with the sentiment that, as we are all parts of one country and we are under that one Imperial government, the Imperial power must negotiate with regard to these treaties, but at the same time we have all the freedom that is necessary and all the voice that we could possibly desire.<sup>1</sup>

It should be noted that it is independent treaty-making by the Colonies which is here repudiated, not the appointment of Colonial representatives as Imperial plenipotentiaries *ad hoc*, or their association with British ministers in negotiating treaties made in the name of the British Government.

A further point urged by the Australian representatives should be mentioned here, since it relates to their freedom in external relations, even if not to foreign affairs properly so called. The original Constitution Acts of the Australian Colonies had prohibited all differential duties. In 1873 this provision was modified to permit of reciprocal relations among themselves, though not with other British possessions. While admitting failure to utilise this concession during the interval, the

<sup>1</sup> C. 7553, p. 77.

Australian representatives strongly urged the removal of the remaining restriction, in order to pave the way for any measures of inter-colonial reciprocity into which they might care to enter.<sup>1</sup>

On June 28, 1895, the Colonial Secretary, Lord Ripon, sent a circular despatch to the Governors General and Governors of the autonomous Colonies. This was still Colonialistic and patronising in tone, and embodied the decisions of the Home Government upon the points raised in the 1894 Conference. Regarding the Australian plea for a completion of their fiscal autonomy, the British Government agreed to remove the restriction on differential duties, save that in order to safeguard Imperial international obligations, all Colonial bills providing for such duties must be reserved, hence they should include a proviso suspending their operation until Her Majesty's pleasure regarding them should be known.<sup>2</sup>

In regard to commercial negotiations, the statement was equally explicit :

7. To give the Colonies the power of negotiating treaties for themselves without reference to Her Majesty's Government would be to give them an international status as separate and sovereign states, and would be equivalent to breaking up the Empire into a number of independent states, a result which Her Majesty's Government are satisfied would be injurious equally to the Colonies and to the Mother Country, and would be desired by neither.

The negotiation, then, being between Her Majesty and the sovereign of the foreign state, must be conducted by Her Majesty's representative at the Court of the foreign Power, who would keep Her Majesty's Government informed of the progress of the discussion, and seek instructions from them as necessity arose.

It could hardly be expected, however, that he would be sufficiently cognisant of the circumstances and wishes of the Colony to enable him to conduct the negotiation satisfactorily alone, and it would be desirable generally, therefore, that he should have the assistance, either as a second plenipotentiary or in a subordinate capacity, as Her Majesty's Government think the circumstances require, of a delegate appointed by the Colonial government.

If, as a result of the negotiations, any arrangement is arrived at, it must be approved by Her Majesty's Government and by the Colonial government, and also by the Colonial legislature if it involves legislative action, before the ratifications can be exchanged. . . .

14. Her Majesty's Government recognise, of course, that in the

<sup>1</sup> C. 7553, pp. 67-82.

<sup>2</sup> C. 7824, pp. 8-9.

present state of opinion among foreign Powers and many of the Colonies as to differential duties, and in a matter which, to some extent, would affect only a particular Colony, they would not feel justified in objecting to a proposal merely on the ground that it was inconsistent in this respect with the commercial and financial policy of this country.

But the guardianship of the common interests of the Empire rests with them, and they could not in any way be parties to, or assist in, any arrangements detrimental to these interests as a whole. In the performance of this duty it may sometimes be necessary to require apparent sacrifices on the part of a Colony, but Her Majesty's Government are confident that their general policy in regard to matters in which Colonial interests are involved is sufficient to satisfy the Colonies that they will not, without good reason, place difficulties in the way of any arrangements which a Colony may regard as likely to be beneficial to it.<sup>1</sup>

Coming after the Tupper negotiations, such a pronouncement was distinctly reactionary. Although far in advance of Lord Lyons' attitude in its recognition of Dominion negotiators, the latter were in no sense to be accorded the rôle which Sir Charles had created for himself. The Dominion representative was to act merely "as a second plenipotentiary or in a subordinate capacity, as Her Majesty's Government think the circumstances require." Lord Ripon's intent was to stem the course of decentralisation in treaty-making—for his apprehension of the effect of concessions in commercial negotiations upon the conduct of high policy was obvious—and also to preserve as far as possible the commercial unity of the Empire. The principles outlined in this despatch were never applied, however, for sufficient time elapsed before the next occasion upon which Canada entered upon a commercial negotiation for it to reveal not merely a repudiation of this position, but a remarkable advance on anything before achieved.

Lord Grey, in the Foreign Office, represented a more liberal school of thought. But aside from this, one of the most significant periods in Imperial history intervened between the pronouncements of 1895 and 1907 on the conduct of Dominion negotiations. Definite attitudes towards the major issues of Imperial federation, tariff arrangements and defence measures had been taking shape. In relation to Imperial foreign affairs especially, the determination of the Dominions to express them-

<sup>1</sup> C. 7824, pp. 15-16, 17-18. See also Keith, *Selected Speeches*, vol. ii. pp. 156-166.

selves upon policies which concerned them had become evident. Instances of serious criticism on their part, both of Imperial commitments in which they were involved, and of the manner in which the Home Government had handled foreign negotiations affecting them, had not failed to register their effects. These will be considered in detail presently. As regards the conduct of commercial negotiations by the Dominions, a radical change of policy by the Home Government was revealed.

In 1907 Sir Wilfrid Laurier expressed a desire to open negotiations for new commercial arrangements with France, and designated Messrs. Fielding and Brodeur to represent Canada in this regard. The instructions sent by the Secretary of State for Foreign Affairs to the British Ambassador in Paris outlined a new and entirely subordinate status for that official. Referring to the principles contained in Ripon's despatch of 1895, the reversal of rôles was explained as follows :

I do not, however, think it necessary to adhere in the present case to the strict letter of this regulation, the object of which was to secure that negotiations should not be entered into and carried through by a Colony unknown to and independently of His Majesty's Government.

The selection of the negotiator is principally a matter of convenience, and, in the present circumstances, it will obviously be more practical that the negotiations should be left to Sir W. Laurier and to the Canadian Minister of Finance, who will doubtless keep you informed of their progress.

If the negotiations are brought to a conclusion at Paris, you should sign the Agreement jointly with the Canadian negotiator, who would be given full powers for the purpose.<sup>1</sup>

Thus, although the Home Government was informed of the proceedings and approved the draft Convention, the negotiations were entirely in the hands of the Canadian representatives. The British Ambassador merely signed the agreement along with them.

The precedent of 1907 completes the evolution of Dominion treaty-making power prior to the War. Short of completely eliminating the British Government, and securing for the Dominions the international status of independent nations, the only possible further step would seem to be withdrawal of representatives of the Home Government from even a nominal part in the process of negotiation. In 1909 Fielding and Brodeur

<sup>1</sup> Earl Grey's despatch of July 4, 1907, Return 129 of 1910, p. 9.

treated directly with responsible French officials for a Convention supplementary to that of 1907, and not till negotiations were practically complete was full power issued to the Ambassador and the Canadian Ministers regarding signing. In this case, as previously, however, the conditions were carefully examined by the British Government, and the agreement made subject to Imperial ratification.<sup>1</sup> Early in 1910, informal negotiations were undertaken between Mr. Fielding, the Canadian Minister of Finance, and the German Consul-General at Montreal for the removal of the  $33\frac{1}{3}$  per cent. surtax on German imports, and a provisional agreement was written. This, however, was avowedly provisional only, and made in contemplation of a treaty to be negotiated in the regular manner.<sup>2</sup> The same may be said of an arrangement made between Canada and Italy a few months later.<sup>3</sup> The reciprocity negotiations of 1910-11 with the United States were conducted on the responsibility of the Canadian Government, but this was an agreement involving concurrent legislation only, not a treaty.

It would be well to consider just what advance towards Dominion autonomy in foreign relations the precedent of 1907 represents. At the annual banquet of the Canadian Manufacturers' Association in Toronto (September 26, 1907) Sir Wilfrid Laurier said :

It has long been the desire, if I mistake not, of the Canadian people, that we should be entrusted with the negotiation of our own treaties, especially in regard to commerce. Well, this long-looked-for reform has become a live reality. Without revolution, without any breaking of traditions, without any impairment of our allegiance, the time has come when Canadian interests are entrusted to Canadians ; and within the last week a treaty has been concluded with France—a treaty which applies to Canada alone, which has been negotiated by Canadians alone. True, it has been done with the whole assent of the British Crown and with the assent of the Foreign Office. The Foreign Office interposed no objection at all, but on the contrary told us, "This is a Canadian matter, which chiefly concerns yourselves. Take the matter in your own hands."<sup>4</sup>

During the debates in the Canadian House of Commons, on a

<sup>1</sup> Return 129 of 1910, p. 10.

<sup>2</sup> Report of Dominions Department for 1910, Cd. 5125, pp. 7-8.

<sup>3</sup> *Ibid.* (1910-11) Cd. 5582, p. 9.

<sup>4</sup> Quoted by R. Borden, Canada, *House of Commons Debates*, session 1907-08, cols. 3514-3515.

Bill implementing the Franco-Canadian treaty, this statement was called in question. George E. Foster said :

Everyone of us with half an ounce of commonsense in his head knows that there is one thing Canada cannot do. She cannot make a treaty and she cannot enforce a treaty. Just as long as the present constitutional circumstances and conditions stand, Canada may have all the say in reference to her own business in the way of a treaty with another country, as to-day she has, but she has to say it in a constitutional way, and when the treaty is signed, it is Great Britain's plenipotentiaries who sign it and when the treaty is completed it is the power of Britain that enforces that treaty.<sup>1</sup>

The whole course of Canadian treaty-making power was reviewed, albeit in partisan fashion.<sup>2</sup> The Liberal Government naturally claimed that a very distinct step forward had been achieved under their auspices, whereas the Opposition argued that it was as early as the Tupper negotiations of 1893, or even those conducted by Galt in 1884, that independent action was accorded the Dominion.

In actual fact, it would appear from our survey that the evolution of Dominion treaty-making power pursued a logical and steady course. Originally, in accordance with the principles of the old Colonial system, treaties relating to specific Colonies were made for them by the Home Government through emissaries who in fact as well as theory represented her only. The first efforts at direct statement of Colonial wishes were resented by Lord Lyons as an unwarranted interference with his functions. Colonial insistence achieved merely an unofficial status regarding arrangements for concurrent legislation. Next, association of Colonial representatives with the British Minister in an informative and advisory capacity was not resented, in fact frankly recognised, but he acted for the Colonies when the agreement was signed. A momentous step was taken when the Dominion representatives were appointed British plenipotentiaries *ad hoc*, authorised to sign the resulting treaties along with the British diplomatic officials. At first their status was intended to be distinctly subordinate, informative and advisory only, but the vigour of Sir Charles Tupper, and the exigencies of Imperial politics, accorded them the dominant rôle. The attempted

<sup>1</sup> December 2, 1907 : Canada, *House of Commons Debates*, session 1907-08, col. 87.

<sup>2</sup> See reference *supra*, p. 157, note 2.



reaction implied in Lord Ripon's despatch of 1895 was never effected. The instructions of 1907 gave to the British Ambassador a purely titular place. The negotiations were conducted independently by the Dominion envoys; he merely signed the finished instrument. The next step might well be the elimination altogether of other than representatives of the Dominion concerned—appointed Imperial spokesmen for the occasion, of course, otherwise the legal unity of the Empire would be impaired.

Thus the precedents of 1884 and 1893, though momentous, were not final, for they were followed by the Ripon despatch of 1895. The negotiations of 1907-09, on the other hand, mark the definite recognition by the British Government of full political autonomy, within the bounds of constitutional unity, in commercial treaty-making by the Dominions.

These concessions to Dominion national development were effected by executive decision, and did not involve formal action by the British Parliament. The flexibility of the Royal Prerogative was sufficient to allow appointment of any desired plenipotentiary, empowered to speak in the name of the Empire. The scope of the binding authority of such agreements is another matter entirely, and did not as yet depend on the credentials of those who might negotiate them. Thus representatives of Dominions were appointed British plenipotentiaries *ad hoc*, in addition to (or it might well be in lieu of) the regularly accredited representatives of the Home Government. Legally, they spoke not for the United Kingdom or Canada, but for the British Crown; their country of origin did not as yet affect their international status. Thus the constitutional aspects of the issue of Dominion treaty-making power were avoided. The nature of this compromise was early recognised, both within the Empire and abroad. In a letter to Sir Charles Tupper, *à propos* of the fisheries negotiations of 1887-88, Mr. Bayard said:

Great Britain being the only treaty-making party to deal with the United States, the envoys of the Government alone are authorised to speak in her behalf and create her obligations. I presume you will be personally constituted a plenipotentiary of Great Britain to arrange here with whomsoever may be selected to represent the United States terms of agreement for a *modus vivendi* to meet present emergencies, and also a permanent plan to avoid all future disputes. It appears to me that as matters now stand the Colony of Newfoundland ought to

be represented and included, for a single arrangement should suffice to regulate all the joint and several interests involved.<sup>1</sup>

The same point was clearly made in answer to a question in the 1894 Colonial Conference :

Hon. Mr. SUTTON : In connection with the treaties which the Imperial authority takes in hand for Canada, does Sir Charles Tupper act directly for you, or does he sign the treaty representing the Imperial government rather than Canada ?

Hon. Mr. FOSTER : He signs the treaty representing the Imperial government.

Hon. Mr. SUTTON : He is a plenipotentiary for the occasion ?

Hon. Mr. FOSTER : Yes.<sup>2</sup>

### *The Dominions and Imperial Treaty Entanglements*

This question of the negotiation of commercial treaties obviously related only to future arrangements, not to existing commitments with foreign countries. Furthermore, the scope of the negotiations was confined to matters which concerned the external affairs of specific Dominions only, not the Empire as a whole. They had to do with commercial policies which could definitely be distinguished as local, not Imperial. The *modus vivendi* which has just been described, however, left untouched a more complicated problem—the relation of the Dominions to commercial agreements either already existing, or which might be entered into in the future by the British Government in the name of the whole Empire. But here again, as we shall see, Dominion insistence achieved a satisfactory settlement.

This wider problem was approached from several angles, some of which revealed Imperialistic and some Nationalistic implications. These were the removal of treaty entanglements which hampered the various parts of the Empire in making whatever fiscal arrangements they desired with one another, the modification or abrogation of treaties which imposed restrictions on the trade policies of specific Dominions as regards foreign countries, provision in future treaties for the optional adhesion or withdrawal of individual Dominions, the desirability of making treaty obligations as far as possible uniform throughout the Empire, and the desirability both of consulting with the

<sup>1</sup> Tupper, *op. cit.* p. 179.

<sup>2</sup> *Proceedings*, C. 7553, p. 81.

Dominions affected and of communal consultation before general treaty obligations were incurred.

Originally, commercial treaties made by the British Government bound the Colonies as well as the Mother Country. Hence the emergence of independent fiscal policies in the Dominions was certain sooner or later to cause treaty complications. In the Conference of 1894 the Colonies took the initiative in advocating Imperial preferential trade relationships. In this connection much discussion was devoted to the bearing of British most-favoured-nation treaties on the tariff relations of the Colonies with the Mother Country and with one another.<sup>1</sup> The obstacles were a treaty made by the British Government with Belgium (July 23, 1862), and a similar one with the German *Zollverein* (May 30, 1865). These were engagements entered into by the Home Government in Colonialistic fashion with her own commercial interests in view. Now the Colonies had reached a stage of development at which local economic interests were compelling their governments to examine such restrictions on their commercial freedom and to register protests.

Article 15 of the Belgian treaty read: "Articles the produce or manufacture of Belgium shall not be subject in the British Colonies to other or higher duties than those which are or may be imposed upon similar articles of British origin." The German treaty contained a similar prohibition.<sup>2</sup> Sir E. Grey rendered an opinion that the effect of these treaties would not be to prevent differential treatment by the United Kingdom in favour of British Colonies, nor by British Colonies in favour of one another, but that it would prohibit differential treatment by the Colonies in favour of the Mother Country.<sup>3</sup> This was the assumption upon which the Conference proceeded. Thus the question affected primarily the proposed Canadian preference to British goods, but it was discussed generally and made the subject of a resolution by the Conference as a whole.

As far back as 1882, Canada had protested against these treaty restrictions, and some official correspondence had been the result.<sup>4</sup> Again in 1893, on motion of Sir John Abbott the Premier, the Senate and House of Commons of Canada had

<sup>1</sup> C. 7553, pp. 146-157.

<sup>2</sup> *Ibid.* p. 53.

<sup>3</sup> Statement in the House of Commons, July 30, 1894; *ibid.* p. 5, footnote.

<sup>4</sup> *Ibid.* p. 150.

unanimously adopted an address to the Crown, requesting the denunciation of these two treaties. The Dominion attitude was forcefully expressed :

Your memorialists consider that these provisions in treaties with foreign Powers are incompatible with the rights and powers subsequently conferred by the British North American Act upon the Parliament of Canada for the regulation of the trade and commerce of the Dominion ; and that their continuance in force tends to produce complications and embarrassments in such an Empire as that under the rule of Your Majesty wherein the self-governing Colonies are recognised as possessing the right to define their respective fiscal relations to all foreign nations, to the Mother Country, and to each other.

The address went on to affirm that the greatest opportunities for Canadian commercial development lay within the Empire. Furthermore, in view of the spread of protection in foreign fiscal policies, such restrictions were adverse to the interests of both Mother Country and Colonies.<sup>1</sup> The reply of Downing Street (April 2, 1892) to this memorial was unfavourable. It was alleged that the mere denunciation of these two treaties would not of itself confer on the Dominion all the desired fiscal freedom, that to make this complete would involve a very extensive revision of existing Imperial commercial treaties, and a great break up of existing commercial relations, in the benefits of which Canada also shared.<sup>2</sup> Thus the Canadian grievance was still outstanding when the 1894 Conference met.

Although the Conference members united in passing a resolution calling for the removal of any provisions in existing treaties between Great Britain and any foreign Power which prevented the self-governing dependencies of the Empire from entering into reciprocal agreements with one another or with the Mother Country<sup>3</sup> there was by no means complete unanimity shown during the discussion. There was revealed that divergence in attitude towards Imperial problems between Colonies in different stages of economic evolution—between those which were essentially producers of raw materials, and primarily dependent on the British market, and those which were developing industrial interests of their own—which has been perhaps the most significant factor in the evolution of the

<sup>1</sup> C. 7553, pp. 53-54.

<sup>2</sup> *Ibid.* p. 148.

<sup>3</sup> *Ibid.* p. 154.

Britannic Question. The latter type, exemplified by Canada, has pointed the way, the others gradually fell into line with the older Dominion, as developing economic interests impelled them more and more to the adoption of Nationalistic attitudes.

During the discussion of these treaties, Hon. Wm. Forrest, for instance, representing Queensland, said: "The foreign trade of England is of the vastest importance to Australia. I look upon England as the great agent for receiving our raw material and distributing it, after manufacturing, throughout the world. It would be impossible for us to distribute our products without the assistance of England."<sup>1</sup> Sir Henry de Villiers (Cape of Good Hope) was equally insistent that the Conference bear in mind the probable loss to the Colonies should British trade suffer by their proposal.<sup>2</sup> Sir Henry Wrixon (Victoria), though he opposed the restrictions in principle, was at first for avoiding the issue, since it was provided against in the future. He said:

'There is no doubt if that system were persisted in and continued, it would be highly injurious to the trading interest of the Empire, because it would mean that the whole of the internal trade of the Empire was bound—it would always be bound—by obligations to other countries under the most-favoured-nation clause. . . . That would be injurious. But there is no use of our looking back to what has been a disadvantage in the past when that disadvantage is not there now. The Imperial government has completely given up that system, and now, when they enter into a customs treaty with a foreign Power, they would also include a condition with regard to self-governing Colonies, that they come into the treaty or not, just as they like. That is the invariable practice.'<sup>3</sup>

Mr. Thynne (Queensland), was for postponing the issue until the Colonies were ready with some concrete trade proposal to which the treaties presented an obstacle.<sup>4</sup>

Mr. Foster, on the other hand, represented more developed economic interests, with concrete commercial aims, and consequently a more articulate opposition to Colonialism. His more dynamic argument overcame the hesitancy of the more dubious and secured the passage of Mr. Suttor's motion. He asked:

Why is it that a Colony of 5,000,000 of people to-day, independent so far as its customs are concerned, with an independence given to it

<sup>1</sup> C. 7553, p. 156.

<sup>3</sup> *Ibid.* p. 69.

<sup>2</sup> *Ibid.* p. 151.

<sup>4</sup> *Ibid.* p. 155.

readily by the British Government itself—why is it that we should be kept from making good arrangements for ourselves from a trade point of view? It is because in 1862, before we were born, we happened to be included within a treaty within the bounds of which we would not now be by the expressed understanding with Great Britain itself—because in no case does she include a Colony without the consent of the Colony. Why should we be held under this treaty? It is an anomaly. It is a grievance that we should be hampered or restricted by these conditions. But they are there, and we must recognise that they are there. We were within the womb of the Empire then, and we are in the lap of the Empire now. We submitted to this cheerfully, but on ground of right we ask for it to be seriously taken into consideration, and if there is any possible means whereby we can be let out of that, let us go far ahead of that sentiment which is strong to-day in the British Empire, and will be stronger in after years, and claim that something more is due as between children and mother in matters of trade than is given to foreign powers, who are in a state of armed opposition, so far as trade is concerned, to the Mother Country and every part of her dependencies.<sup>1</sup>

The Earl of Jersey, the British representative, was won over by the Conference. In his report to the Colonial Secretary, after citing the provisions for optional inclusion of the self-governing Colonies in future commercial treaties, he went on to recommend: "It might be advisable that another article should be added, to enable any Colony to withdraw from the treaty at the date when it is terminable." In regard to the treaties with Belgium and the *Zollverein*, he said:

Whilst, therefore, laying before your Lordship the views expressed and the resolutions passed, I feel unable to go further than to press earnestly the advisability of giving a favourable consideration to the unanimous request of the Conference for the removal of any restriction, treaty or statutory, which stands in the way of inter-colonial trade. The power to make fiscal arrangements *inter se* may or may not be largely used, but, in granting it to her self-governing Colonies, Great Britain will be developing the policy long pursued of enabling them to make such use of their resources within the Empire as they think best, and experience has shown that this policy is the safest and most satisfactory mode of promoting their advancement. It is hardly necessary to add that anything which contributes to this end is also beneficial to British commerce and capital.<sup>2</sup>

The Marquis of Ripon, on the other hand, returned an unfavourable reply to the recommendations of the Conference. He pointed out that the two treaties presented an obstacle merely

<sup>1</sup> C. 7553, p. 151.

<sup>2</sup> *Ibid.* pp. 5-7.

to grants of Colonial preference to British goods, and concluded that, for the present at least, the disadvantages of denouncing the treaties outweighed such a prospective gain. In any case, they could always be denounced on twelve months' notice, should circumstances render this desirable.<sup>1</sup>

The free grant of a preference to British goods by Canada in 1896 forced the issue of these treaties upon the Home Government. Mr. Chamberlain referred to the question in the Colonial Conference of 1897. He was a staunch Imperialist, yet, like the rest of his school, was perforce a Nationalist upon occasion, when the interests of his own part of the Empire were vitally affected. Hence he viewed the situation with somewhat mixed feelings. Although heartily in favour of closer Imperial commercial relations, he pointed out that British trade with Germany and Belgium was greater than that with all the Colonies combined, and that denunciation of the treaties might lead to retaliation. Such a serious step should only be taken after the most careful consideration, but this would certainly be given to the matter by the Home Government if the desire of the Colonies proved unanimous. The Conference passed a unanimous resolution earnestly recommending "the denunciation, at the earliest convenient time, of any treaties which now hamper the commercial relations between Great Britain and her Colonies." This request was acceded to, the two treaties terminated, and the British Government was able to announce that no obstacles to colonial grants of preference to her goods would exist after July 30, 1898.<sup>2</sup>

Behind the governments involved there were the organised economic interests, keenly watching the issue. The fiscal implications were of paramount concern. At the annual meeting of the Associated Chambers of Commerce of the United Kingdom, in March 1902, for instance, a south of Scotland representative moved that all commercial treaties with foreign countries should leave Britain free to make such arrangements with her Colonies and dependencies as she chose. A Manchester member registered

<sup>1</sup> C. 7824, pp. 12-13.

<sup>2</sup> C. 8596, pp. 10-11, 14-15. By joint declarations of 1904 and 1905, the British Government secured from Greece for any of the Colonies which desired it, release on twelve months' notice from a treaty of 1886 affecting coasting trade, to which most of the Australian states had acceded. Cd. 3524, pp. 6-7.

a strong protest. This resolution would tie the hands of the government ; it implied inroads on the British free-trade, open-door policy and threats to the most-favoured-nation treatment accorded her by foreign countries. He pointed out that British colonial trade comprised only a third of her total commerce :

Looking behind the resolution, the Imperial *Zollverein* idea was evident. . . . He wished to point out the great importance of keeping open their relations with foreign nations as distinct from their own possessions. . . . He asked the delegates, before voting for the resolution, to consider whether it was a wise and expedient course to force upon the Government a policy which would prevent the adoption of the most-favoured-nation clause with foreign nations, which would cause a great deal of friction and difficulty, and lead to the imposition of duties which followed from a Protectionist policy.

Manchester influence in the congress was sufficient to cause withdrawal of the resolution.<sup>1</sup> In contrast, at the meeting in Montreal, the following year, of the Fifth Congress of Chambers of Commerce of the British Empire, S. Morley Wickett, a prominent member of the Canadian Manufacturers' Association, succeeded in securing unanimous acceptance of an identical resolution.<sup>2</sup> Again, at the annual banquet of the Canadian Manufacturers' Association in 1907, the hearty reception accorded Sir Wilfrid Laurier's discussion of Dominion freedom in the negotiation of commercial treaties, strongly contrasting as it did with a thoroughly Imperialistic address from the other principal speaker, who had just preceded him, well illustrates the attitude of business men in this representative Dominion towards the issue.<sup>3</sup>

These principles governing Dominion relations to Imperial commercial treaties were reaffirmed in a resolution of the 1907 Imperial Conference : " That all doubts should be removed as to the right of the self-governing dependencies to make reciprocal and preferential fiscal agreements with each other and with the United Kingdom, and further, that such right should not be fettered by Imperial treaties or conventions without their concurrence." <sup>4</sup>

<sup>1</sup> *London Chamber of Commerce Journal*, April 1902, supplement, p. 4.

<sup>2</sup> *Industrial Canada*, vol. iv. p. 62.

<sup>3</sup> *Ibid.* vol. viii. pp. 272-273.

<sup>4</sup> Cd. 3523, p. 484. Introduced by Sir Jos. Ward, New Zealand.



In the matter of the German and Belgian treaties, the Colonies achieved a really significant victory. On the face of it, the demand for denunciation marked a revolt against the entanglements and restrictions in which Colonialism had involved them, a Nationalistic desire for freedom to make such fiscal arrangements as each Colony desired. From the point of view of Britain, however, the demand contained implications which jeopardised her traditional fiscal policy. The surrender marked a serious step upon her part. As far as it went, it favoured the cause of the Imperialists. It had evoked sacrifices in the Imperial interest. For slight material advantage, the Mother Country had incurred serious risk of retaliation by foreign countries, and Canada had involved herself in that dangerous, albeit victorious tariff war with Germany which has become a matter of history. The outstanding legal obstacles to any desired intra-Imperial commercial arrangements, too, had been removed. Furthermore, a legal limitation in favour of Imperial commercial unity still existed. The official announcement of the denunciation of the two treaties went on to state :

It is, however, right to point out that if any Colony were to go further and to grant preferential terms to any foreign country, the provisions of the most-favoured-nation clauses between Her Majesty's Government and other Powers, in which the Colonies are included, would necessitate the concession of similar terms to those countries.<sup>1</sup>

To take a further step, and demand the wiping out of this reservation, however, would mean Nationalism, not Imperialism. The concession in the matter of the treaties had been exacted by the insistence of a Nationalistic Canadian Government, and the next phase of this controversy was to reveal a demand led by this same government for a revision of these most-favoured-nation treaties in the interest of complete Dominion freedom as regards all nations, British or foreign.

Meanwhile, other modes of dealing with the commercial treaties problem had been receiving attention. When complaints of treaty entanglements had become serious, and before the issue of the German and Belgian treaties was forced, the British Government had adopted the policy, in framing new commercial treaties, of providing for the optional inclusion of specific Colonies

<sup>1</sup> C. 8596, p. 15.

within their scope. In 1877 Colonial Secretary Carnarvon made such a proposal. The first treaty of this description appears to be one with Montenegro (January 21, 1882). By 1894 it was the accepted principle that this privilege extend to the governments of India, Canada, Newfoundland, the Australian Colonies, the Cape, and Natal. New treaties, while applying to all other Colonies as far as the laws admitted, should include only such of these as gave notice for that purpose.<sup>1</sup>

The vicissitudes of the Anglo-Japanese treaty of 1894 illustrate this principle.<sup>2</sup> Great Britain recognised Japan as a civilised Power by consenting to the abolition of extraterritoriality. The treaty mutually guaranteed commercial privileges, the rights and liberties of traders and sailors, and the right of residence or travel "in any part of the dominions or possessions of the other," as was essential to real commercial relations. Article 19, however, contained this typical proviso :

The stipulations of the present treaty shall be applicable, so far as the laws permit, to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to India, the Dominion of Canada, Newfoundland, the Cape, Natal, New South Wales, Victoria, Queensland, Tasmania, South Australia, Western Australia, New Zealand. Provided always that the stipulations of the present treaty shall be made applicable to any of the above named Colonies or foreign possessions on whose behalf notice to that effect shall have been given to the Japanese Government by Her Britannic Majesty's representative at Tokio within two years from the date of the exchange of ratifications of the present treaty.

In 1895 Natal and Newfoundland acceded. Considerations relating to the immigration of Japanese labour, however, led the others to refuse. It is interesting to note, as evidence of the growing tendency to make Imperial foreign relations a subject of discussion by representatives of the Empire as a whole, that this treaty was debated in the Colonial Conference of 1897.<sup>3</sup> Despite the concession of additional reservations by Japan, the adherence of Queensland only (which later receded) was added. By 1906, however, the growth of her commercial relations with the Far East led Canada to consider inclusion. Apparently she arranged

<sup>1</sup> C. 7553, pp. 5-6, 69. See also Keith, *Responsible Government*, pp. 848-853.

<sup>2</sup> See Canada, *Sessional Papers* (1907-08), No. 74b.

<sup>3</sup> C. 8596, p. 18 ; a convention with France relating to trade with Tunis was also discussed, in which Newfoundland alone asked inclusion.

a "gentleman's agreement" with Japan,<sup>1</sup> for when Mr. Lyttelton inquired regarding the addition of a protocol excluding labourers and artisans, Canada expressed a willingness "to adhere absolutely and without reserve" to the original treaty.<sup>2</sup> Similarly, in May 1913 Canada completed steps to make applicable to her the treaty of commerce and navigation of April 1911 between the United Kingdom and Japan, with the reservations, however, that nothing in the treaty should repeal or affect any provisions of the Canadian Immigration Act, and that Article 8 regarding duties charged on certain articles by the two countries should not be applicable to Canada.<sup>3</sup>

A complement to optional inclusion of the Dominions in future treaties was the principle of adding provisions allowing their optional withdrawal. This also was adopted in practice by the British Government.<sup>4</sup> Thus both aspects of Dominion relationship to future treaties were so disposed of that, by 1907, even Sir Wilfrid Laurier was able to express complete approval of the arrangement.<sup>5</sup>

Along with demanding relief from undesirable treaty obligations already incurred, and securing assurance against entanglement through British action in the future, a further logical step on the part of the Colonies would be to demand prior consultation with them regarding treaties in process of negotiation. A definite policy in this regard was formulated by the 1902 Conference<sup>6</sup> in a resolution introduced by Australia and passed unanimously: "That so far as may be consistent with the confidential negotiations of treaties with foreign Powers, the views of the Colonies affected should be obtained in order that they may be in a better position to give adhesion to such treaties." Commenting on this, the British Government described it as the formal endorsement of a practice which they had voluntarily been following for some time past: "It was explained that in regard to treaties of commerce and navigation, which appeared to be more especially contemplated by the Commonwealth Government, every effort was already made to carry out the policy indicated, and that

<sup>1</sup> See statement by Hon. R. Lemieux, Canada, *House of Commons Debates*, session 1907-08, cols. 1598-1605.

<sup>2</sup> Canada, *Sessional Papers* (1907-08), No. 74b.

<sup>3</sup> Report of the Dominions Department for 1913-14 (Cd. 7507, p. 9).

<sup>4</sup> See Keith, *loc. cit.*

<sup>5</sup> Cd. 3523, p. 483.

<sup>6</sup> Cd. 1299, p. 34; Cd. 3524, p. 2.

where a Colony or Colonies were specially concerned, it was the custom to invite them to be specially represented in the negotiations." The importance of this resolution, then, lies in the fact that it was a formal statement of policy insisted upon by a Conference representing the Empire as a whole. The matter was no longer left to the Colonialistic beneficence of the Home Government.

There was another consideration, however, which may have been implicit in this resolution, and certainly came to the front later. The British practice, as stated, was to communicate beforehand with the specific Colony or Colonies concerned regarding commercial negotiations. This fell far short of rendering to all of them full and continuous information as to the commercial commitments of the Empire. Certainly the feeling existed, in some Dominions at least, that they were being held in the dark in such matters. The issue was specifically raised by the Australian Premier in the 1907 Imperial Conference. Mr. Deakin, it will be recalled, argued strongly in this assembly for an Imperial secretariat, and complained of the inadequacy of existing arrangements for handling routine Imperial business during the intervals between sessions. Among other things, he professed ignorance as to whether any treaties had been negotiated since the resolution of 1902, and whether any communications had passed between the British governments in this connection. Lord Elgin replied that such treaties were sent in a general despatch.<sup>1</sup>

Such a demand as Mr. Deakin's was Imperialist, a plea for communal British action. The Nationalist as well as the Colonialist, however, would be quite well satisfied with communication with specific Dominions when their interests were affected. Provided he was not implicated without his own consent, and the other Dominions received similar treatment, he was not vitally interested in Mr. Deakin's contention. This no doubt accounts for the absence of pronounced support for him in his argument. There seems to have been considerable discussion in private at this Conference, however, involving a Board of Trade memorandum dealing with the best mode of consultation regarding commercial treaties.<sup>2</sup>

Mr. Deakin also offered a resolution, later carried unani-

<sup>1</sup> Cd. 3523, pp. 41-42.

<sup>2</sup> *Ibid.* p. 483.

mously, upon a related topic. This called upon the Imperial Government for statements showing the privileges conferred and obligations imposed on the Colonies by existing commercial treaties and for the institution of inquiries to ascertain how far it was possible to make these obligations and benefits uniform throughout the Empire. His stand was Imperialistic in this respect, that although he recognised diversity of situation, and that treaties affecting parts of the Empire only might be necessary, yet he believed these differences should be reduced to a minimum, and treaties as far as possible should be effective throughout the whole Imperial area. General rather than partial action should be encouraged.<sup>1</sup> The proposal itself, however, was too innocuous to rouse controversy. The Board of Trade had prepared for this Conference a memorandum regarding existing treaty obligations as they affected British and Dominion coasting trade,<sup>2</sup> and in response to this resolution Parliamentary papers were issued containing a survey of most-favoured-nation commitments.<sup>3</sup> Correspondence between the governments on these matters had been continuous, but it was declared inadvisable to publish it.<sup>4</sup> Thus Mr. Deakin's efforts in the 1907 Conference were only partially successful.

The failure of Mr. Chamberlain's tariff reform campaign, and the cool reception accorded efforts to promote Imperial fiscal unity in the 1907 Imperial Conference, operated to bring the Nationalistic implications in the course of the commercial treaties issue prominently to the front. This was distinctly noticeable in the Imperial Conference of 1911. In that session Sir Wilfrid Laurier launched an attack on the limitations which existing most-favoured-nation treaties imposed upon Dominion commercial freedom—this time in relation to foreign countries, not (as in the preceding controversy) in relation to other parts of the Empire only.<sup>5</sup> The practical effect of these treaties was that, if a Dominion for a satisfactory *quid pro quo* made tariff concessions to a specific foreign country, automatically some dozen other nations became entitled under Imperial treaties (in the making of which the Dominions had had no voice) to share in these same

<sup>1</sup> Cd. 3523, pp. viii, 467-468.

<sup>2</sup> 1907 Conference, Papers Laid: No. XXV, Cd. 5524, pp. 467-493.

<sup>3</sup> Cd. 3395, 3396.

<sup>4</sup> Cd. 5273, pp. 66-67.

<sup>5</sup> Cd. 5745, pp. 333-339.

benefits without granting anything in return.<sup>1</sup> Sir Wilfrid secured acceptance by the Conference of the following resolution :

That His Majesty's Government be requested to open negotiations with the several foreign governments having treaties which apply to the overseas Dominions with a view to securing liberty for any of those Dominions which may so desire to withdraw from the operation of the treaty without impairing the treaty with respect to the rest of the Empire.

As it happened, circumstances were peculiarly favourable for the reception of this resolution. Earlier in the Conference proceedings, Australia had advanced one of those Nationalistic proposals with Imperialistic implications which have been so characteristic of the Britannic controversy.<sup>2</sup> Mr. Fisher, supported by Mr. Pearce,<sup>3</sup> had moved that it was advisable in the interests of the United Kingdom and the Dominions that efforts on behalf of British manufactured goods and British shipping should be supported as far as practicable. Other countries aided their shipping by subventions and contributions; Australia had helped to counterbalance this in the Pacific by her shipping legislation. Her specific grievance was the reservation of an Australian Act (1906) limiting her proposed British preference to goods imported on British ships manned by British seamen. This was done because the measure conflicted with certain British treaties.<sup>4</sup> The present issue, then, was the denunciation of certain treaties which thwarted Australian law. Mr. Buxton, for the British Government, expressed their appreciation of the object Australia had in view, but pointed out that of the 284,000,000 tons of British shipping, 164,000,000 went to foreign ports and

<sup>1</sup> See statement by Hon. W. S. Fielding, Canadian Minister of Finance; Canada, *House of Commons Debates*, session 1907-08, col. 1220 (Jan. 12, 1908). According to a statement by Mr. Fielding in the Canadian House (Dec. 18, 1907) the only countries then entitled to most-favoured-nation treatment through action of the Canadian Parliament were France (treaty of 1893) and Japan (treaty of 1906). On the other hand, old treaties with Britain entitled at least the following countries to the benefits Canada proposed extending to France by the treaty of 1907: Argentine, Austria-Hungary, Bolivia, Columbia, Denmark, Japan, Norway, Persia, Russia, Spain, Sweden, Switzerland, Venezuela (*ibid.* cols. 846, 1239). During his reply to Sir Wilfrid's argument, Sir Edward Grey pointed out that, of these treaties, the one with Sweden had been made by Oliver Cromwell, and that with Denmark went back to Charles II.

<sup>2</sup> Cd. 5745, pp. 134-143.

<sup>3</sup> Respectively Premier and Minister of Defence of Australia.

<sup>4</sup> Those with Austria-Hungary (1868), Italy (1883), Russia (1859), and possibly some eight others; Keith, *Imperial Unity and the Dominions*, p. 267.

only a comparatively small portion to Australia. The question must be considered from the point of view of British shipping the world over ; consequently the risk of general retaliation was too great for the advantage offered. Though he agreed with the general principle, he could not assent to the specific proposition, in view of existing trade conditions.

Laurier's Nationalism could hardly be better illustrated than by the tone he adopted in supporting the Australian contention. He gave no hint that he considered the Imperial Conference as a forum for the discussion of Imperial problems, for arriving at common decisions in the Imperial interest, or even that the latter occupied a significant place in his thinking. Rather did he consider it as an opportunity for the settlement of issues between specific Dominions and the Mother Country or sister nations. He began by stating that this was a purely Australian question, yet involved points of interest to the other Dominions. Said he, "We are face to face, therefore, with this position. The old treaties we find are an obstacle to Australia to-day. We may find ourselves in Canada also in the face of similar treaties which in Canada might be an obstacle to our commercial development."<sup>1</sup> His attitude was almost that of apology for participation in the discussion. He suggested that negotiations be undertaken with a view to exempting Australia from the operation of these treaties, and proceeded to read his own resolution dealing with this point.

On such an issue as this Sir Joseph Ward mingled Nationalism with his Imperialism. He supported the Australian claim, arguing that the advantages offered by foreign subsidised lines made it often cheaper to ship from Britain *via* a foreign port, rather than direct to New Zealand or Australia. Moreover, the colour question was important. The incidental coastwise traffic carried on in Australasia by these foreign lines with their low-priced coloured crews was making serious inroads upon that of New Zealand firms. Despite an effort on the part of Mr. Buxton to head off Laurier's resolution by pointing out that since the last Conference the Foreign Office had been in correspondence with several of the foreign governments with a view to accomplishing just what the Canadian Premier was suggesting, and what was already the practice in the case of new treaties, the

<sup>1</sup> Cd. 5745, p. 138.

Conference postponed the discussion, and substituted for the Australian proposal the resolution offered by Sir Wilfrid Laurier.

In submitting his resolution, Sir Wilfrid strongly controverted newspaper comment to the effect that it conflicted absolutely with the principle underlying the policy of Lord Salisbury's Government in denouncing the Belgian and German treaties. That, it was averred, had been done in order to further the re-establishment of Imperial commercial unity, whereas the Canadian proposal meant the adoption by the governments of the Empire of separate systems of commercial relations with foreign powers—an entirely different proposition. Sir Wilfrid argued that Australia, in seeking to limit her British preference to goods imported in British ships, now found herself thwarted by treaty commitments of exactly the same type as had faced Canada in 1896, and that the same treatment should be accorded in both cases. He noted also that there were twelve most-favoured-nation treaties which would be involved should Canada choose to grant a preference to a foreign country, say, the United States. He pointed out that diversity, not unity, in fiscal policies was now the rule within the Empire, and that the corollary of fiscal differences was diversity in commercial treaty relationships. As regards new treaties, the accepted principle now was that Dominions should not be included save at their express wish. Why should not this principle apply to the old treaties also, if they proved a bar to Dominion development? Frank recognition of these differences, and allowance for them in treaty relationships, he maintained, was what really made for Imperial unity.<sup>1</sup>

By this resolution and his argument in support of it, Sir Wilfrid Laurier came out flatly against commercial unity in any Imperialist sense. Mr. Deakin in 1907 had requested a survey of the treaty obligations of the Empire with a view to securing the greatest possible uniformity in them. In contrast, Sir Wilfrid now sought the wiping out of that reservation in favour of Imperial unity which had remained, as regards preferences to foreign countries, in the most-favoured-nation treaties after the denunciation of the Belgian and German commitments. The Canadian Premier had a renewal of reciprocity with the United States particularly in mind. He sought the elimination

<sup>1</sup> Cd. 5745, pp. 334-335.



of all uniform or centrally imposed restrictions, freedom for each specific Dominion to make any commercial arrangements with another country, British or foreign, which its own interests should dictate, without incurring extraneous obligations in the process. The theory of Imperial unity he advanced was the antithesis of Imperialism, it was frankly Britannic alliance and co-operation, based on mutual autonomy and goodwill only, not on legal ties. Hence came his argument that recognition of diversity in commercial policy was the surest way of achieving Imperial unity—of the kind he visualised. Similarly *The Times* article which he had specifically criticised was a perfectly valid arraignment of his proposal from the Imperialist standpoint.

Mr. Fisher, Sir Joseph Ward, General Botha, and Sir Edward Morris<sup>1</sup> briefly expressed their concurrence in this resolution. Sir Edward Morris noted that the resolution as proposed seemed to apply to all treaties, whereas it should be limited to trade agreements, and at his suggestion the word "commercial" was inserted. Sir Edward Grey, for the British Government, pointed out certain practical difficulties. The desired principle had been in operation as regards new treaties for at least fifteen years, and its adoption was proof that the old treaty provisions had been found embarrassing to the Dominions. The matter of modifying the latter had, at the request of Australia, been taken up with Italy and Austria the previous year, but the Italian Government had insisted on denunciation rather than modification if any changes were desired. The Austrian Government, on the other hand, had demanded information as to the grounds on which Australia sought withdrawal, whether they intended to do likewise in respect to other states, whether their purpose was to make ready for preferential treatment to British vessels as against those of foreign nations, and whether Australia was prepared to conclude a new navigation treaty with Austria to replace that of 1858. The Colonial Office had asked the Australian Government what reply should be given to this communication, but thus far the request had remained unanswered, and the negotiations were suspended. Denunciation of existing treaties would leave the Empire hanging in mid air, would entail the loss of numerous benefits, and possibly

<sup>1</sup> Premiers of Australia, New Zealand, South Africa, and Newfoundland respectively.

preclude the successful negotiation of new arrangements. He suggested that the mode of procedure should be to postpone denunciation until modifications or new treaties containing clauses abrogating those in existence should have been framed. With this reservation, he expressed acceptance of the resolution.

The British Government promptly entered into negotiations with the foreign countries involved in order to give effect to the wishes of the Dominions along the lines suggested by this resolution. Several governments showed a readiness to modify their treaty arrangements as requested, and in the course of the next two or three years agreements were concluded with Denmark, France, Columbia, Sweden, Norway, Costa Rica, and Switzerland which permitted the British Government to terminate on twelve months' notice the operation of their treaties as regards any or all of the Dominions without impairing them in relation to the rest of the Empire.<sup>1</sup>

### *Relation of the Commercial Treaties Controversy to Political Questions*

Such were the issues raised during the commercial treaties controversy, and the modes of settlement achieved. Whereas these all antedated the outbreak of the Great War, the more serious problem of the conduct of high policy had never been squarely faced prior to that catastrophe. As will be seen, the course of the latter has been very definitely conditioned by the precedents established, the principles adduced, and the lines of development mapped out during the discussion just outlined. Hence it would be well to summarise the principal conclusions bearing upon the wider problem which may reasonably be drawn from this survey.

We should note, as certainly one of the most striking of these, the fact that from the purely legal point of view, the international unity of the Empire remained unimpaired. As regards the negotiation of commercial treaties by specific Dominions, we have seen how the flexibility of the British constitution made possible an ingenious compromise which rendered it unnecessary

<sup>1</sup> Reports of the Dominions Department for 1912-13 and 1913-14 (Cd. 6863, p. 6 ; Cd. 7507, p. 7).

even to raise the question. The appointment of Dominion representatives as British plenipotentiaries *ad hoc* secured the legal aspects of the matter; the other considerations were internal to the Empire. Again, as regards the settlement of the questions relating to treaties wider in their scope, the legal side of Imperial unity was equally maintained. Concessions to Dominion wishes regarding optional inclusion or withdrawal involved merely the consent of the contracting governments, and were entirely a matter of the terms of the treaty itself. The *modus vivendi* achieved by these compromises was typically British. It was a commonsense arrangement adapted to circumstances as they had arisen thus far, and it had avoided friction. At the same time it had dealt with immediate exigencies and had refused to anticipate the wider problems which inevitably must be faced should it be attempted to apply these same principles to questions of high policy later on.

Turning to consider the political aspect of the matter, however, we find an entirely different situation. In the first place, as regards commercial relations, Dominion insistence had resulted in the definite recognition and permanent adoption of a working arrangement which was eminently satisfactory to them, and doubtless would be invoked by them whenever they chose to project themselves into more serious political relations with foreign countries. But what did this arrangement imply? The fact should be stressed that because British plenipotentiaries spoke officially for one Monarch they did not therefore speak for one mind. Although they drew their legal authority from a single source, they were *politically responsible* each to his own government. Similarly, responsibility for the invocation of those clauses in Imperial treaties which provided for the optional adhesion or withdrawal of specific Dominions, also rested entirely with their several governments.

One compensation, at least, accrued to the Mother Country as a result of this decentralisation in political responsibility. She was relieved of a great deal of gratuitous criticism for the handling of local interests. Dominion governments no longer had the familiar alibi for all their shortcomings. In the debate in the Canadian House on the French Treaty of 1907, for instance, Mr. Thomas Chisholm stated this point succinctly. He said :

For almost the first time in the history of Canada, we were in a position to discuss a question of this kind properly in this House. Formerly, when treaties were made between Canada and foreign countries, we always had some British nobleman, or some great jurist or other prominent Britisher as part of the commission. Now, we have had a treaty directly negotiated by two of our own Ministers, two of our experienced Ministers and two men in whom I myself would have had considerable confidence. They must, I think, receive credit for all that is good in this treaty ; but, for once, we have them in the position that they must take the blame for all the bad points in it. Formerly when a treaty was negotiated the members of the Government, whether Conservative or Liberal, have been able to put the blame for the faults of the treaty on the British member of the commission—he was made scapegoat for any mistakes, while the Government always took the credit for the good points in the treaty. Now, in these matters the Government must get the credit for all the good points of the treaty, and must for once take blame for all the bad points.<sup>1</sup>

Whatever the advantages of this result might be, however, to the Imperialist they were negligible in comparison with his desideratum—communal control over all such matters.

Probably the most significant feature of the commercial treaties controversy was the emphasis upon diversity in commercial policies throughout the Empire, for in an economically interdependent world there are few major domestic issues which are not liable to affect a nation's relations with other countries. This diversity was frankly recognised by Imperialists and Nationalists alike, though whereas the former group strove to lessen it by increased co-operation and the establishment of machinery to promote unity, the latter were perfectly willing to intensify it, should the immediate interests of the various British nations so dictate. The significance of this emphasis, as regards the wider problem of Imperial foreign affairs, lies in the habit of mind it promoted throughout the Empire. Habitual emphasis upon local needs and local policies left little room for consideration of the question whether there might and should be an Imperial policy.

As regards the Mother Country, the key-note of her policy has been to minimise the effects of decentralisation by localising them. She strove to limit each Dominion's foreign relations strictly to its own concerns—albeit frankly recognising that such concerns existed, and granting to it full scope within that sphere

<sup>1</sup> Canada, *House of Commons Debates*, session 1907-08, col. 264.

—and to retain within her own hands all matters of wider significance. Considering, however, the decentralisation of political responsibility for commercial policies, each government assuming to be the proper judge of its own interest, obviously friction was liable at any time to occur. It was inherent in the system. Under such circumstances, any attempt on the part of the Home Government to apply pressure when the assumed bounds of local competence appeared likely to be overridden would tend at once to become a political issue with the Dominion concerned—an eventuality best avoided even at considerable cost. For instance, should Canada negotiate a reciprocity treaty with the United States which involved distinct discrimination against the trade of the United Kingdom or of other Dominions, the Home Government would certainly be impotent in the face of ratification of such an arrangement by the Canadian electorate. True, His Majesty's Loyal Opposition in the Dominion parliaments could usually be relied on in such cases to rally to the defence with much talk of Imperial unity, and criticism of those who would shake it. Nevertheless, the feeling seems generally to have existed that the Mother Country, like the Dominions, was chiefly concerned with her own commercial interests. In other words, the emphasis was upon Nationalism all round in commercial policies, so that such an argument was weak from the outset.

The operation of potentially Imperialist tendencies had proved neutral or abortive. The compromise devices for the preservation of Imperial international unity offered no guarantee of political solidarity. The survey of Imperial treaty commitments was an anti-Colonialist manifestation which was utilised for Nationalistic purposes, and Mr. Deakin's aim that this should be made the vehicle of closer co-operation failed to secure the needed support. Sir Wilfrid Laurier in 1911 had skilfully seized upon the Australian shipping legislation issue as a means of enlisting support for the most Nationalistic of his proposals. Modification of Imperial treaties, even the discussion of commercial policies in the Conference sessions, instead of being made the occasion of efforts for increasing uniformity and co-operation, had been entered upon from time to time only as the grievances of a specific Dominion had dictated, and had served merely to emphasise Nationalistic decentralisation.

Thus on the political side the relations of the parts of the Empire to one another were tending steadily to become those of independent nations, and the efforts of one of them to delimit the scope or direct the operation of another's activities would present much the same difficulties as arise in the case of similar efforts among independent nations. Although the implications of this tendency were recognised, the specific instances in which it was manifested related not to matters of high policy, but on the whole to minor commercial arrangements with neighbouring states. The paramount Imperial interest could not well have been pleaded in opposition, nor Dominion representations been ignored with a good grace, even if it had been practicable to do so on any ground. The momentum given to the general movement towards Dominion autonomy in foreign relations by the question of commercial treaty negotiations, however, doubtless contributed in a high degree to later and more significant developments.

A problem which raised much more apprehension and controversy than the movement to decentralise commercial policies was that of Dominion participation in the conduct of political relations with foreign Powers. Owing to the close connection between economics and politics, and the ramifications which the acts of an individual nation entail in our interdependent world society, it is usually difficult to draw distinctions between foreign questions which are strictly commercial and those which are political or between those which are definitely local and those which have Imperial significance. We cannot, for instance, weigh the influence which the presence of Great Britain in the background has had, say, upon the tariff controversy between Canada and Germany, or on the relations of that Dominion with the United States. The division of treaties into two categories—commercial and political—is, however, generally recognised. Moreover, in discussions of Imperial foreign relations, practical if somewhat arbitrary distinctions have been drawn between matters affecting specific parts of the Empire and those of general concern. During the period prior to the War serious complications in this regard were avoided by the direct participation and restraining if not overruling influence of representatives of the Home Government in negotiations undertaken by the Dominions. Of recent years, however, as we shall see, the

problem of safeguarding the Imperial interest in negotiations alleged to be of local concern has attained paramount importance, and the expedients adopted for meeting it have jeopardised the integrity of the Commonwealth.

The evolution from Colonialism in the formation of Imperial foreign policies pursued a normal course. There were bitter criticisms of the effect upon the Colonies of British diplomacy relating to them, demands for participation in the settlement of local political questions, further demands for information as to commitments and for prior consultation when general obligations were incurred, and finally, for participation in negotiations upon an equal and co-operative basis, coupled with a flat refusal to be bound by arrangements in the making of which the Dominions had not shared. At one stage in the controversy the federal expedient for securing united action was proposed. When this failed of acceptance, the solution of co-operation upon a Nationalistic basis was eventually reached. Although the major questions remained open at the outbreak of the War, the discussions of the preceding period did much to clarify the issue, and virtually determined its outcome.

### *Dominion Reactions to British Diplomacy affecting their Interests*

The first developments related to the conduct of local negotiations, that is, matters affecting primarily the interests of a single Dominion. As it happened, these developments were almost exclusively the result of Canadian insistence, and were directly related to popular dissatisfaction in the Dominion with the handling of their concerns by the emissaries of the Home Government. This has been serious and persistent. Yet, however solidly founded on genuine grievances, this criticism had displayed the earmarks of irresponsibility. It is typical of Colonial status and should not be interpreted to mean all that it seems literally to imply. It was not intended to overthrow the existing basis of relationship, but merely to change it, perhaps, in certain respects and, more specifically, to infuse greater zeal for local interests into the conduct of the Home Government. Save on the part of avowed Imperialists arguing their cause,<sup>1</sup> it

<sup>1</sup> E.g. Lorne, *Imperial Federation*, pp. 37-38, 57-58 ; Dilke, *British Empire*, pp. 35-36.

does not seem to have been directed against the principle itself that foreign matters of general concern should be handled by the Home Government alone. Nevertheless, it has been the direct cause of the devolution of local negotiations, and has had a marked effect upon British policy, for justifiably or not, the lesson from the secession of 1776 has proved a powerful weapon in Colonial hands.

The presence of a powerful neighbour upon the Canadian boundary has furnished opportunity for the early and frequent emergence of serious political questions between the two countries, and for the complaints of which we speak. Undoubtedly the tradition has developed in Canada that uniformly in such cases British concern for friendship with the United States has outweighed the just claims of her Dominions.<sup>1</sup> We were taught this in our school histories. We were told, too, how the Columbia River was handed over to the States because the British sportsmen who investigated the region pronounced it worthless since the salmon would not rise to the fly. Portrayals of the helplessness of honest but stupid British negotiators faced by Yankees with a horse-trading background verge on the ludicrous. They remind one of similar arguments by American isolationists, who stress the futility of their own diplomats when they are met by the skill and trickery of Europe.<sup>2</sup> The ignorance of local circumstances displayed by representatives of the Home Government charged with Canadian interests has been stressed by serious public men, but more than ignorance is implied in Mr. Ewart's strictures on the conduct of Lord Alverstone during the Alaskan Boundary award.<sup>3</sup>

We must leave examination of the soundness of this viewpoint to the historians. Opinions need bear no relation to facts, and in politics it is opinions that count. This is a truism. The important thing is that dissatisfaction with British diplomacy regarding issues between the United States and Canada has

<sup>1</sup> For an exposition of the traditional view see Thos. Hodgins, *British and American Diplomacy affecting Canada* (Toronto, 1900). To illustrate the impotence of a Pan-Angle with the complications which regard for Canadian wishes inject into the issue next to his heart, see Andrew Carnegie, *Imperial Federation*, passim.

<sup>2</sup> Similarly Mr. Cockshutt urged the lack of a trained Canadian diplomatic corps as an argument against further assumption of treaty powers by Canada (Canada, *House of Commons Debates*, session 1907-08, col. 3566).

<sup>3</sup> J. S. Ewart, *The Kingdom of Canada*, pp. 299-348.



become the popular Canadian tradition. It has unquestionably been a tremendous if imponderable factor in the consolidation of national feeling in the Dominion, and has furnished the principal argument of those who have contended for the handing over to Canada of the conduct of her external relations. It has been voiced publicly by her leading statesmen. Illustrations are easily found. For instance, in the Canadian House of Commons (February 22, 1899) Sir Charles Tupper stated :

I now come to a very important question, and that is the reluctance on the part of Her Majesty's Government to do that with the United States that they would do with any other country in the world. I speak from intimate knowledge and from my personal acquaintance and official association with both the great governing parties in England—because there were many changes of government while I held the position of High Commissioner, and I was necessarily thrown, in relation to these matters, into intimate association with both—when I say that from 1868, when I had occasion to deal with an important question relating to Canadian interests with Her Majesty's Government, down to the present hour, I have been struck very forcibly with the unwillingness on the part of Her Majesty's Government to allow any circumstance whatever even to threaten a collision with the United States.<sup>1</sup>

At the annual banquet of the Canadian Manufacturers' Association in 1907, Sir Wilfrid Laurier voiced the same complaint. He said :

We take the record of the diplomacy of Great Britain in so far as Canada is concerned, and we find it is a repetition of sacrifices of Canadian interests (applause). We have suffered on the Atlantic, we have suffered on the Pacific, we have suffered on the Lakes, we have suffered wherever there has been a question to be discussed between British diplomats and foreign diplomats. Well, then, we have come at last to the conclusion that upon this point also, in our relations with foreign countries, we would do better by attending to the business ourselves, rather than having it trusted to the best man that can be found in Great Britain.<sup>2</sup>

The enthusiastic reception accorded their Premier at this meeting was the unquestionable endorsement of his attitude by the most powerful of Canadian associations. It should be noted, nevertheless, that Laurier was making political capital of these grievances. He went on to endorse Canadian autonomy in the

<sup>1</sup> Quoted in Ewart, *Kingdom Papers*, No. 3, vol. i. p. 63.

<sup>2</sup> *Industrial Canada*, vol. viii. p. 272.

making of commercial treaties, the subject in which this assembly of business men was primarily interested, and used these complaints from the sphere of general diplomacy to bolster up an argument relating to the narrower field. Complain as he might of British ineptitude, no one was more loath than Sir Wilfrid to force the Dominion into the hazards of participation in problems of high policy.<sup>1</sup>

The less responsible utterances of private members may be illustrated by the following extract from a debate on the Alaska Boundary question :

I am an Imperialist after the strictest sect of the Imperialists, but I want to disassociate the conduct of the Imperial government for sixty years from the conduct of the people of the Empire, who would always have defended the government in maintaining their rights, even at the expense of war. There is enough loyalty and national feeling in this country to have carried us safely over those disastrous negotiations which we have always had with the United States. But we have always found ourselves in the position that the British Government has sold out the interests of the people of Canada for what they supposed to be Imperial interests. I say that it would have paid the Empire a thousand times to have fought the question out, and I say that as a Canadian, knowing well that the field of battle would be on Canadian soil.<sup>2</sup>

The specific grounds for complaint which contributed to build up this Canadian tradition have all been based upon controversies with the United States. The myth that Lord Ashburton was tricked into robbing Canada of a large part of the State of Maine (1842) has played a rôle comparable to that of many Irish grievances. The Treaty of Washington (1871) ended a period of extreme tension between Britain and the Republic. It settled the Alabama claims, but omitted any compensation for the Fenian raids. Hence the Canadian attitude was that the major burden of whatever British concessions were necessary was foisted upon her.<sup>3</sup> The Alaskan Boundary award (1903) was regarded as a distinct betrayal of

<sup>1</sup> See a similar argument by Hon. L. Brodeur, Canada, *House of Commons Debates*, session 1907-08, col. 1388.

<sup>2</sup> S. E. Gourley (February 19, 1902), Canada, *House of Commons Debates*, session 1902, col. 150.

<sup>3</sup> E.g. Pope, *Memoirs of Sir John A. Macdonald*, vol. ii. chaps. 20-21 ; see reference to in Ed. Blake's Aurora speech (October 3, 1874), *Canadian Historical Review*, vol. ii. at p. 255.

Canadian interests.<sup>1</sup> It came at a critical time. It followed hard upon the voluntary grant by Canada of a preference to British goods and her spontaneous sacrifices on behalf of the Mother Country during the South African War. It also coincided on the one hand with the emergence of a Nationalistic movement in Canada largely provoked by this same struggle, and on the other with the launching of Mr. Chamberlain's campaign for Imperial unity and the assumption of additional Imperial defence burdens by the Dominions. These were the major grievances, but a measure of dissatisfaction has ensued in almost all cases in which Canadian controversies with the United States have been handled by the Home Government, and has been more or less exploited.

There has been no more indefatigable critic of British diplomacy relating to Canada than Mr. Ewart. We shall have occasion to analyse this argument later. Briefly it is that the Mother Country has not displayed an interest in the Colonies save when material advantages accruing from possession of them were the prime concern, that she has uniformly sacrificed Canadian interests upon the altar of Anglo-American friendship, that Canada has never become involved in a dispute save through the Imperial connection and hence would best assure her own safety by severing the latter, and that reliance upon British protection promised little or nothing as far as the Dominion was concerned.<sup>2</sup> His brightest gem of reasoning is probably the following, which must suffice for purposes of illustration. It will be recalled that Britain, by the Quebec Act in 1774, annexed to the diminutive province of Canada the Ohio Valley region, but restored it to the Thirteen Colonies in the peace settlement of 1783. Of this transaction Mr. Ewart says :

Had Canadians done their own bargaining with the United States they would almost certainly have far more territory than they own to-day. They would never merely "in order to remain permanently on good terms with them" (the Americans) have presented those Americans with all the states between the Ohio and the Mississippi (Ohio, Indiana, Illinois, Michigan, and Wisconsin) together with a

<sup>1</sup> E.g. Ewart, *Kingdom of Canada*, pp. 299-348 ; resolution of the Trades and Labour Congress of Canada, *Labour Gazette*, vol. viii. p. 429 ; comment in *Industrial Canada*, vol. iv. p. 202 ; see also résumé of comment in *Canadian Annual Review*, for 1903.

<sup>2</sup> See especially *Kingdom Papers*, No. 10, pp. 307-331, and Nos. 3, 5, 12-14.

possibility of the acquisition of all territory between these and the Pacific (Iowa, Nebraska, Minnesota, Dakota, Wyoming, Montana, Idaho, Oregon, Washington, Missouri, Kansas, Colorado, Utah, Nevada, and part of California). We could have bought a great many concessions with Ohio, Indiana, and Illinois, for example. Perhaps, with these extra provinces, we might have been strong enough to resist concessions !<sup>1</sup>

As if the Canada of that (or any other) day could unaided have held her own territory for even a decade, let alone confined the United States to the Atlantic seaboard !

Although such has undoubtedly been the popular Canadian tradition, it must not be thought either that British diplomacy has been without its defenders in Canada, or that political, even personal exigencies have not played their part in determining the pronouncements of public men upon the subject. One need merely cite the vindications of British services on behalf of Canada by Sir John A. Macdonald during his defence in the Canadian House of the 'Treaty of Washington,'<sup>2</sup> by Sir Charles Tupper during that of the fisheries negotiations of 1888,<sup>3</sup> by F. D. Monk and John Charlton during debates on the Alaska Boundary issue,<sup>4</sup> or by Sir Allan Aylesworth during a speech on the North Atlantic fisheries arbitration.<sup>5</sup> Sir Wilfrid Laurier himself made public acknowledgments of these same benefits, at least as regards Ambassador Bryce.<sup>6</sup> The political circumstances of the speakers on all these occasions, however, committed them to the defence of the Home Government. During the Laurier régime, for instance, the Opposition was frequently in such a position. Conversely, it was quite natural that Sir John A. Macdonald should have written tart letters to Ottawa

<sup>1</sup> *The Kingdom of Canada*, pp. 182-183. To this argument a writer in *The Round Table* (vol. iv. pp. 112-113) makes the following conclusive reply : "To this the very obvious answer is that 'we' were not there at the time. The population of Canada in 1783 did not consist of over 7,000,000 people, bound together by high confidence in their destiny, but of about 100,000 war-worn and dispirited French-Canadians, about 100,000 Indians, scattered over half the Continent, and a few recently arrived Americans, many of whom were republican in sentiment. Had Great Britain left this motley crew to their own devices, can the most ardent believer in the moderation of the United States really suppose that the northern boundary of the great Republic would have stopped automatically at the forty-ninth parallel ?"

<sup>2</sup> Pope, *loc. cit.*

<sup>3</sup> See Tupper, *Recollections*, Appendix II, especially pp. 359-360.

<sup>4</sup> Canada, *House of Commons Debates*, session 1902, col. 829, session 1903, cols. 68-69.

<sup>5</sup> *Ibid.* session 1910-11, cols. 666-667.

<sup>6</sup> E.g. *Ottawa Canadian Club Speeches*, vol. i. p. 27.

regarding his British colleagues during the dubious course of the Washington treaty negotiations.

At the manufacturers' banquet, during which Sir Wilfrid made the comments on British diplomacy just cited, the other principal speaker, G. T. Blackstock, K.C., who preceded him, said :

'There is no part of the British Empire which has derived so much benefit from the English navy and the English army as this very Dominion of Canada in which we exist (applause). For one hundred years, living alongside an ambitious rival, a rival in the past not too friendly, with frequent causes of dispute arising between us, I am not addressing a solitary man in this audience to-night who does not know that it would have been impossible for us to have maintained our independence, and that not once, but again and again in those hundred years, our country would have been drenched with gore but for the great influence and power of England that was behind it. We have enjoyed the blessings of unexampled peace and prosperity, and we owe those blessings to that navy and that army to which we contribute at this day scarcely a farthing by way of support.<sup>1</sup>

But this was British *protection*, not British diplomacy, to which the speaker was rendering tribute, and thereby he exemplifies the attitude maintained by Imperialists in face of current criticism of the Mother Country. In general they were inclined to accept the popular view, but argued that any losses to Canada which had been entailed were immeasurably outweighed by the benefits of the Imperial connection.

An interesting illustration of the diverse reactions produced in her political assembly by dissatisfaction with the course of negotiations in which Canada was concerned is furnished by the debates on the Alaska Boundary question.<sup>2</sup> Apparently the only point upon which all parties, whether Liberal, Conservative, or Henri Bourassa, were agreed was that Canada had been worsted. Mr. Bourassa blamed neither Lord Alverstone nor the Canadian Government ; his strictures were concentrated on the United Kingdom. He held that Canada had no case judicially from the start, but might have profited diplomatically when the abrogation of the Clayton-Bulwer treaty was under discussion had not her

<sup>1</sup> *Industrial Canada*, vol. viii. p. 269.

<sup>2</sup> See debates on motions of H. Bourassa and F. D. Monk for papers relating to the abrogation of the Clayton-Bulwer treaty, etc., Canada, *House of Commons Debates*, session 1902, cols. 143-152, 747-772 ; debate on the award (October 23, 1903), *ibid.* session 1903, cols. 14,773-14,844 ; also debate on the address in reply (1903) *passim*.

sole chance of securing compensation been thrown away by the Home Government on that occasion. While Canada was shedding her blood in South Africa, Chamberlain was surrendering her interests in the matter of the treaty. The sacrifices were on one side, the favours seldom on the other. The draft treaty relating to the tribunal, too, had been ratified without Canadian consent. He said :

To my mind, instead of concentrating all our ire and indignation upon the shoulders of a worthy and learned magistrate, who in regard to four-fifths of his opinions, had certainly facts to justify his decision, we should go to the root of things and find out where lies the real responsibility which has forced upon the people and government of Canada this unfortunate decision. That, I think, would be much more statesmanlike, and would lead to a much clearer and better understanding in the future as to our rights towards the British Government. . . . I do not belong to the school who would ask from Great Britain one iota of a sacrifice in order to protect Canadian interests ; but I think I have the right to ask, and every member of this House and every Canadian citizen has the right to ask, that the British Government, for the sole purpose of catching American favour, shall have no right to compromise Canadian interests without the will of the Canadian people. That is all I ask from the British Government. . . . We should take the position as it is, coldly and firmly, and learn from it this lesson, which is not the first nor the last, that if we want to deal with the American Government, we should deal directly through an agent at Washington appointed by the Canadian Government.<sup>1</sup>

The purport of his conclusion is much clearer than its relation to his premises. How Canada with so poor a case on its merits would have fared better alone against the United States is not easy to see.

Mr. R. L. Borden, for the Conservative Opposition, criticised Bourassa for saying the Canadian case was absurd, citing the dissenting opinions of Aylesworth and Jetté. The disputed territory was Canadian. He centred the blame on the Canadian Government, particularly for supineness in connection with the Clayton-Bulwer treaty. In 1899 the British Government had practically demanded the contemporaneous settlement of this matter and the Alaska Boundary question, but on March 5, 1902, the Prime Minister had taken the "astounding" position that Canada had no interest in the treaty. On the contrary no other

<sup>1</sup> Canada, *House of Commons Debates*, session 1903, cols. 14784, 14787, 14789.

part of the Empire was more intimately concerned with it. At the request of the Colonial Office, the Canadian Government had abandoned its pledges, sacrificed Canada, and accepted a tribunal and a treaty not subject to Canadian ratification. He maintained that the Canadian Government should have withdrawn during the preceding January, when they could have explained to the Imperial government that they stood on pledges which had the support of both political parties and of the Canadian people. They should have stood firmly for an arrangement on the same basis as that regarding the Venezuelan boundary, and certainly could have secured a treaty in a different form, or at least subject to ratification by the Canadian Parliament. Mr. Borden's argument, too, was Nationalistic, albeit with an emphasis different from Bourassa's. Although he avoided attacking the Imperial government, the implication was that under Conservative auspices Canadian interests would have been much more vigorously defended.

Sir Wilfrid Laurier maintained that merely persuading the United States to submit the matter to judicial interpretation in itself constituted a great victory, so contrary was this concession to that country's previous pretensions. He defended Lord Alverstone and denied that they would have done better with three Canadians on the tribunal. He contrasted the Venezuelan settlement ; that involved a possible cession of territory, whereas this was merely a question of interpretation, hence did not require submission to Parliament. Canada had protested against the composition of the tribunal, but meanwhile the treaty was ratified ; to have refused then might have risked a fight with the United States. He had often regretted their proximity to a great neighbour so grasping in her national ambitions and so determined to get the best of every agreement, and that Canada had not the treaty-making power in order to deal with such situations. On this score he excused his failure to bring down all the correspondence on this question. When that was available, the responsibility could be fixed. Twitted by Mr. Borden on his statement in 1902 that existing relations with Britain were perfectly satisfactory, he explained that he was then referring to Imperial federation and like matters, and did not mean to preclude increased treaty powers. The latter was the remedy he had to suggest :

The difficulty, as I conceive it to be, is that so long as Canada remains a dependency of the British Crown the present powers that we have are not sufficient for the maintenance of our rights. It is important that we should ask the British Parliament for more extensive power, so that, if ever we have to deal with matters of a similar nature again, we shall deal with them in our own way, in our own fashion, according to the best light that we have.<sup>1</sup>

The complaints of British diplomacy from the Pacific had been correspondingly serious.<sup>2</sup> The grievances in this case were based on the failure of Britain to prevent other Powers from obtaining a foothold in the Pacific and so becoming a potential danger through their colonial establishments. The Australasian Colonies had attempted to forestall such action by the prior occupation of certain islands adjacent to them, but their efforts had been nullified by the Home Government. Thus it is in the Antipodes that we see the first manifestations among the Dominions of what is commonly recognised as economic imperialism, for while Canada has taken the lead in most phases of Nationalistic development, she has throughout almost the whole of her history confined her expansionist activities to the settlement of her own territory.

As early as the middle of the century the Australian Colonies had become apprehensive of German intentions to plant settlements in their midst, and from then on urgent though futile pleas were made to the Mother Country to forestall this by annexations on her own account. She was unwilling to incur the expense of such remote action and the risk of European embroilment. By the beginning of the 'eighties the matter had become urgent. In 1883 Queensland on her own initiative seized part of New Guinea, and New Zealand passed a statute authorising her Government to annex any unoccupied island. The Home Government, however, vetoed the Colonial action in both cases. Thus Australia acquired Germany as her next-door neighbour. This fact, and the rise of Japan, governed her policy regarding Imperial defence. Australia secured the last word in the dispute, however, during the European war.

<sup>1</sup> Canada, *House of Commons Debates*, session 1903, col. 14817.

<sup>2</sup> L. Curtis, *The Problem of the Commonwealth*, pp. 76-77; H. F. Egerton, "The Dominions and the Peace Settlement," *United Empire*, vol. vi. pp. 425-431; Wm. McGregor, "The Pacific and its Political Settlement," *ibid.* vol. ix. pp. 103-110; article "Downing Street," *Round Table*, vol. iii. pp. 585-613.



The same grievance arose from the cession of Samoa to Germany, and the neglect to acquire New Caledonia and other islands for Britain. The matter of the New Hebrides was recent and serious enough to provoke a discussion of the issue in the 1907 Imperial Conference.<sup>1</sup> Mr. Deakin in a long statement presented the whole situation from the Australasian point of view. He contrasted the schools of thought which existed in Britain and in the Antipodes and complained bitterly of the pusillanimity of Little-Englandism :

I do not know how far that school is still represented, nor does it matter ; but there never was a time when a similar school of thought existed in our new countries. From the very first, the earliest settlers, even when they were few in number, were large in their ambitions, not for themselves but for the country to which they belonged, and for those who were to come after them. That was the original cause of difference of policy. . . . But for the action of Australia and New Zealand, there would not be an island to-day in the Pacific under the British flag. . . . From the point of view of Australia, we once had the Pacific within our grasp, and have retained nothing of it without constant protest and exertion, while we have lost a great deal which we might have secured. . . . It is not a series of grasping annexations that we have been attempting, but a series of aggravated and exasperating losses which we have had to sustain. There you have our two absolutely opposite points of view, the point of view of our part of the world and the point of view in this country, and it is only because it is necessary, as it appears to me, to make that fundamental contrast of attitude understood that I have ventured to detain the Conference by referring to it.<sup>2</sup>

More specifically, he protested against the conclusion of the late disadvantageous convention with France regarding the New Hebrides (1906), without consultation with the Southern Dominions. The French had gone to the conference knowing exactly what they wanted and determined to get it, whereas the British had shown lamentable ignorance of the situation. The commercial relations of the New Hebrides were with Australia and New Zealand ; their missionaries and traders possessed the fullest knowledge of local conditions. On both these grounds, as the representatives of Britain in that region, they felt entitled to be heard. For the last twenty-four years they had been corresponding, passing resolutions, and protesting. Yet their

<sup>1</sup> Cd. 3523, pp. 548-563.

<sup>2</sup> *Ibid.* pp. 549-550.

representations had been ignored, and the first intimation Australasia had received was of a convention which had virtually to be accepted or rejected as it stood.

Dominion criticisms of British diplomacy as regards both North America and the Pacific present instances of the conflict between very definite articulate local wishes and what was supposed to be the overriding Imperial interest. From the point of view of the Mother Country, these incidents were factors in wider diplomatic relationships, to be conducted, perforce, on the basis of concessions here in return for compensations elsewhere. She was not only less familiar with local conditions, but was also burdened with wider concerns which mitigated her vigour in pressing the case for her Colony and possibly her interest in it also—at least such was the avowed suspicion. She was accused, too, of being motivated by Nationalistic policies of her own, such as the “fetich of Anglo-Saxon friendship,” which militated not only against the Colonial interest but probably that of the Empire as well. From the point of view of the Dominions, on the other hand, the questions were purely local, and had they enjoyed independent status, would doubtless have been dealt with as such by the other countries involved, whatever the outcome. The regions in dispute were geographically localised, the local interest was concrete and articulate, and little concerned with possible wider applications, even if opportunity existed for learning their significance. Limitation of outlook matched intensity of feeling, and both made for a marked intensification of Nationalism in each case on the part of the Dominion at whose expense, seemingly, a specific concession had been made. No small factor in the situation was the apparent divergence in foreign policies between the Mother Country and the Dominions which such episodes revealed.

The problem involved was the degree to which Imperial and local interests could be either reconciled or separated. There were three possible solutions—devolving upon the Dominions the conduct of foreign relations of immediate concern, affording them effective consultation when their specific interests were involved, or the Imperialist remedy, decision by a body representative of the whole Empire. In the long run the prospect was that both Mother Country and Dominions would emphasise decentralisation. Wide policies and general remedies might be

discussed in the abstract, but local interests were specific, per-during, and intense. The problem of foreign affairs reveals the same outstanding characteristic as do the other Britannic issues—homage to Imperialism in general, but Nationalism applied in each successive particular. Meanwhile the interest of the Home Government lay in the maintenance of the Colonial relationship, pending the possible adoption of the Imperialist solution. On the part of the Dominions, of course, complaints at the handling of their local interests did not necessarily involve a demand for full participation in high policy. Decentralisation eventually triumphed, but prior to the War the relation of Australia and New Zealand on the one hand and Canada on the other to foreign affairs produced an important divergence in their reactions to the issue.

In the case of Canada, her controversies had been with the United States, a more firmly established, more powerful immediate neighbour, herself aloof from world politics. The issues were localised from the outset, and considerations intimately relating to the European balance of power were not involved. Hence we find the greatest readiness on the part of any Dominion to assume direct responsibility for participation in negotiations in which she was concerned. But while Canada was able to take a Nationalistic stand by presuming to ignore the European situation and, in a measure, to deal with the United States herself, the Australasian Dominions were faced with a wider and more serious situation. In their case more distant but still more powerful foreign countries were involved, whose Colonial establishments only were in the immediate neighbourhood. These were European Powers, and since attention to her Dominions' wishes at once projected the Mother Country into the maelstrom of European diplomacy, she could not afford to relinquish her oversight. The Dominions readily admitted this, as well as their inability to act on their own account. Hence their demand was merely for consultation with the Home Government when their interests were concerned. This might be specific, but it might also become general, which leads directly to the Imperialist solution. It was in all probability due mainly to this circumstance that during the pre-War period the more Imperialistic proposals came from the Pacific.

*Early Canadian Adventures in Diplomacy*

The conduct of diplomatic problems relating to Canada, then, has been characterised by a leaning towards decentralisation in their solution. We have already reviewed the course of devolution in responsibility for her commercial negotiations. It was natural that the same expedient should be tested in the case of political relationships which were in a measure separable from considerations of general Imperial policy. There have been several occasions for this, practically all relating to questions with the United States. The first of these was the negotiations leading to the Treaty of Washington (1871). Sir John A. Macdonald, then Canadian Premier, was invited by the Home Government to be one of the five British commissioners. He demurred, as this placed him in a dilemma. The wide extension of subjects to be discussed and his liability to be constantly overruled by four colleagues, to say nothing of prolonged absence from Ottawa during a critical session of Parliament, gave him grounds for great anxiety. Any further sacrifice of Canadian interests would rouse a storm of opposition and almost certainly wreck his career. Yet none knew better than he the importance of friendly relations between Britain and the Republic, and the risk to Canada should they be ruptured. Undue insistence on the claims of Canada would be interpreted in Britain as the manifestation of a purely Colonial and selfish attitude, while emphasis upon Imperial considerations would be made to signify at home a neglect of his special duty towards Canada. Nevertheless he accepted the task. He found to his chagrin that an arrangement had been made under which the Fenian raids claims were ruled out of the discussion, and also that the Alabama claims and the Canadian fisheries question had been inextricably mixed. Although at one time on the verge of withdrawing from the Commission, he saw the issue through, and was able to secure for Canada an arrangement regarding her fisheries which awarded her \$5,500,000 for a twelve-year period, instead of the one million for a grant in perpetuity which the United States had offered.<sup>1</sup>

The termination of this period reopened the vexed fisheries

<sup>1</sup> G. R. Parkin, *Sir John A. Macdonald*, chap. viii; Pope, *Memoirs*, vol. ii. chaps. xx and xxi, especially pp. 83-87, 92-93. Sir A. T. Galt was British representative on the Halifax Commission which made this award.

question. The result was the Conference in Washington which negotiated the Chamberlain-Bayard Treaty of 1888. In the correspondence between Sir Charles Tupper, then Canadian High Commissioner, and Mr. Bayard, the American Secretary of State, upon the matter, the latter stressed the desirability of direct Canadian representation during the proceedings. The British mission was headed by Joseph Chamberlain, with Sir Lionel Sackville West, then British Minister at Washington, and Sir Charles Tupper as second and third plenipotentiaries respectively. Sir John Thompson, Minister of Justice, was Associate Counsel for Canada, and the interests of Newfoundland were watched by Mr. James Winter, Attorney-General of that Colony. In a strong speech in the Canadian House urging the ratification of this treaty, and later, Tupper claimed chief responsibility for the whole proceedings. The Conference was initiated as the result of an interview between Mr. Bayard and himself. When at one time it appeared to have reached a deadlock, he suggested a private meeting between Mr. Chamberlain and Mr. Bayard which disposed of a difficult situation. He warmly defended the choice of British representatives and their zeal for the interests of Canada, as well as the settlement itself. Although the treaty was refused ratification by the Republican majority in the United States Senate, apparently for political campaign reasons, these negotiations play an important part in the solution of this long and difficult controversy between Canada and the United States, and were later used as the basis of settlement in the Hague arbitration of 1910.<sup>1</sup>

The apparently more prominent rôle played by Sir Charles in connection with these negotiations, as compared with that of Macdonald in 1871, does not necessarily signify an evolution in the status of Canada as regards foreign affairs. True, expressions of Canadian dissatisfaction with the outcome of the previous negotiations had not been fruitless. Yet it should be remembered that in the earlier settlement the paramount issue was the preservation of friendly relations between Britain and the United States, so seriously strained during the Civil War. Whether wisely or not, the question of chief import to Canada—compensation for the Fenian raids—had been otherwise provided for. Hence the

<sup>1</sup> Tupper, *Recollections*, chap. ix. and Appendix II; J. W. Longley, *Sir Charles Tupper*, pp. 195-199.

remaining issue, the fisheries, however keen might be Canadian interest in the subject, was bound to assume relatively minor importance. In 1888 on the other hand, the Imperial interest was less involved, the matters under discussion were more definitely local, they were almost exclusively the concern of Canada, and naturally the influence exerted by her representative would be correspondingly greater.

Meanwhile, the seizure by the American authorities of Canadian sealing-vessels in Bering Sea had precipitated another controversy between the two countries.<sup>1</sup> Lord Salisbury proposed a settlement by international arbitration. This was agreed to by the United States, and a treaty signed (February 29, 1892) which provided for a Board of Arbitration consisting of distinguished jurists, two nominated by Her Majesty, two by the President of the United States, and one each by the governments of France Italy, and Sweden. Britain and the United States were each to name, in addition, two commissioners to investigate questions of fact. The British representatives on the Tribunal were Lord Hannan of the High Court of Appeal, and Sir John Thompson, the Canadian Minister of Justice. Hibbert Tupper, son of Sir Charles, also served as a British agent on the Commission. The decisions of the Tribunal were in favour of the Canadian contentions. They also framed regulations for the future protection of the seals, from which, however, both the American representatives and Sir John Thompson dissented. Disputes between the two countries nevertheless continued, and were referred without success to the Joint High Commission which met in 1898. The issue was finally dealt with by the International Seal Conference of 1911, which resulted in a treaty between the governments of Great Britain, the United States, Japan, and Russia. The British representatives in these negotiations were Ambassador Bryce and Sir Joseph Pope, Canadian Under-Secretary for External Affairs.<sup>2</sup>

Efforts on the part of the United States to secure a revision of the pelagic sealing regulations of 1893 led to a conference between the Canadian Government and President McKinley's Cabinet (November 1897). The suggestion was made that all issues outstanding between the two countries should be settled

<sup>1</sup> *Canada and its Provinces*, vol. viii. pp. 723-748.

<sup>2</sup> *Report of the Dominions Department* (1911-1912), Cd. 6091, p. 12.

at this time, hence a Joint High Commission was appointed to deal with them. The United Kingdom was represented by Lord Herschell, Canada by Sir Wilfrid Laurier, Sir Richard Cartwright, Sir Louis Davies, and John Charlton, and Newfoundland by Sir James Winter. Among the questions upon which the Commission attempted to reach a settlement were the fisheries, American proposals to end the Rush-Bagot Convention limiting armaments on the Great Lakes, the irritating enforcement of alien labour laws, bonding, coastwise and salvage privileges, trade relations, and the Alaska Boundary. Save that Newfoundland was interested in the fisheries and in reciprocity, these were exclusively issues between Canada and the United States. The Commission held several exhaustive sessions at Quebec and Washington between August 1898 and February 1899, and might have reached some settlement regarding most of the questions, had it not broken up upon that rock of offence, the Alaskan Boundary dispute.<sup>1</sup>

On this Joint High Commission there were four members of the Canadian Government, led by their Premier, and only one spokesman for Britain—the exact opposite of the situation in 1871. In this respect the Dominion could hardly have been more adequately represented. Yet despite this, or perhaps because of it, the result was a deadlock. At first it seemed as if a compromise might be arranged whereby Canada would secure the use, but not the sovereignty, of Pyramid Harbour and a strip of land behind it, but protests from Seattle and Tacoma prevented this. Next Canada tried to secure arbitration of the whole boundary on the Venezuelan basis by a tribunal of three. Fear that this might result in loss of territory hitherto occupied led to a refusal by the United States, and the counter-proposal of a tribunal of six impartial jurists, three representing each side, with the proviso that tide-water settlements then under American jurisdiction should so remain. As this offered Canada at best a deadlock, the suggestion was rejected. The United States refused a European umpire, and Canada one from Latin-America, who in view of the existing application of the Monroe Doctrine, was likely to be under the thumb of the United States. As neither side would give way, the Commission adjourned. Thus the whole question was thrown back upon the Home Government

<sup>1</sup> *Canada and its Provinces*, vol. ix. pp. 169-170.

and the issue became virtually this—whether the Portland Channel was worth a war between Britain and the United States which would be fought out on Canadian soil. So much for Canadian efforts to settle the question.

During the ensuing four years there were constant interchanges between London and Washington and Ottawa.<sup>1</sup> Meanwhile, negotiation had become more difficult, since the trouble in South Africa had done much to neutralise that good feeling towards Britain which her friendship during the Spanish-American War had created in the United States. When the abrogation of the Clayton-Bulwer treaty was under discussion, Lord Lansdowne at first sought to secure compensation for Canada as *quid pro quo*. Possibly because Great Britain took Roosevelt too seriously, and desired to spare the three nations from the threatened consequences of his ambition, or possibly because Laurier's Nationalistic scruples restrained him from adventuring into Imperial diplomacy to the extent of enforcing this point upon the Home Government—this attitude was abandoned, and the United States given a free hand regarding the Isthmian Canal. When Secretary Hay's draft treaty providing for the Alaskan Boundary adjudication was submitted, the Canadian Government at first protested against the nature of the proposed tribunal, and again sought arbitration of the question. Finally, realising that no more satisfactory arrangement could possibly pass the United States Senate, and that this long-drawn-out issue must be settled, a despatch was sent to the Colonial Office (January 21, 1903) accepting the draft treaty. This was signed by Secretary Hay and the British Ambassador on January 24. On the one hand the United States waived the contention that, regardless of the award, no soil then occupied by them should be surrendered, while on the other Britain ceased urging a tribunal of three, and accepted one to consist of six "impartial jurists of repute," three to be appointed by each side.

Although Canadians perforce accepted the situation, popular suspicion and dissatisfaction were very evident, especially when the American membership of the tribunal<sup>2</sup> was announced. The

<sup>1</sup> For summary accounts of the dispute see *Canadian Annual Review* for 1903; *Canada and its Provinces*, vol. viii. pp. 917-958; Skelton, *Life and Letters of Sir Wilfrid Laurier*, vol. ii. pp. 134-160.

<sup>2</sup> These were Senator Henry Cabot Lodge, Secretary Root, and Senator Turner of Washington State. The British representatives were Lord Alver-



arrangement seemed to them deliberately one under which the United States could not lose. Whatever charges posterity may bring against the late Senator from Massachusetts, surely it will never characterise him as having been an "impartial jurist of repute." The circumstances of both his colleagues also precluded their accepting any abatement of the American claims. It was confidently expected that the American members would stand together (and that the Canadians would do likewise), that no settlement would be possible unless the British member decided against Canada, and that this would in all probability be the outcome. Lord Alverstone was virtually prejudged before the award was made. The Canadian Government strongly protested to London regarding the new aspect given to the situation by the proposed personnel of the tribunal, but without waiting for a settlement of this issue with the Dominion, the Home Government exchanged formal ratification of the treaty with the United States.

The present discussion has to do with the relative rôles of the Canadian and British Governments in these negotiations, not with the merits of the award or the ethics of the participants. From this standpoint the significant features are the failure of the Joint High Commission (representing Canadian efforts at settlement), the surrender of a possible opportunity of securing compensation on the abrogation of the Clayton-Bulwer treaty, the immobility of the United States regarding their contentions, the eventual resolution of the deadlock through the acceptance by the British and Canadian Governments of the American proposal, on the distinct understanding that the tribunal and settlement should be judicial in nature, and finally, the ratification of the treaty without waiting for a definite decision on the part of Canada. Shortly after the signing of the treaty (and prior to the award), Sir Wilfrid expressed the original Canadian understanding of the arrangement as follows :

It is not a compromise, it is not an arbitration ; there is no giving and no taking ; but it is simply to have a judicial interpretation of

stone, Lord Chief Justice of the United Kingdom, Sir Louis Jetté, an ex-Judge (later Chief Justice) of the Superior Court of Quebec, and Mr. Aylesworth, later Canadian Minister of Justice (*vice* Mr. Justice Howard of the Canadian Supreme Court, deceased). Hon. Clifford Sifton, Canadian Minister of the Interior, was British Agent ; several members of the Canadian Bar were of counsel.

what is the true boundary ; each party agreeing in advance to accept the boundary as it may be declared, and whatever loss it may give to the other.<sup>1</sup>

The American case had clearly a strong legal basis. In view of this fact it is unfortunate that the issue should have been given the form of a political rather than a judicial settlement by the action of the United States, that the Canadian attitude should have become identical with this, and that the brunt of the decision fell upon Lord Alverstone, whose verdict, under such circumstances, could hardly have been accorded an interpretation other than it received.

The Alaskan Boundary dispute was probably the most serious political issue between Canada and the United States of recent years. The delimitation of the last bit of undetermined frontier, in Passamaquoddy Bay, was amicably settled by agreement, after arrangements for arbitration had been made, and the understanding embodied in a formal treaty (May 21, 1910).<sup>2</sup> Much more important was the final settlement of the North Atlantic fisheries question.<sup>3</sup> Although the treaty of 1888 had met defeat in the United States Senate, the Commissioners had drawn up an interim *modus vivendi*, which in the absence of a definitive arrangement had been voluntarily applied during the subsequent period. Meanwhile difficulties arose through the interpretation put upon the treaty of 1818 by the Newfoundland Foreign Fishing Vessels Act of 1905, and the prohibition laid the following year upon Newfoundlanders engaging for service upon American ships. In June 1907 Sir Edward Grey, in a despatch to Whitelaw Reid, the American Minister in London, drew attention to the serious questions involved, and the latter proposed reference to Hague arbitration. An agreement to this effect was signed by the United Kingdom and the United States on January 27, 1909. The tribunal was drawn from the general list of the Hague Permanent Court. The United States was represented by Judge Grey of the Circuit Court of Appeal, Britain by Sir Charles Fitzpatrick, Chief Justice of Canada. The three other members agreed upon

<sup>1</sup> Canada, *House of Commons Debates*, session 1903, col. 42 (March 13, 1903).

<sup>2</sup> Reports of the Dominions Department (1909-10, 1910-11) : Cd. 5135, p. 9 ; Cd. 5582, p. 8.

<sup>3</sup> *Canada and its Provinces*, vol. viii. pp. 704-723 ; Reports of the Dominions Department (1909-10, 1910-11, 1912-13) : Cd. 5135, p. 10 ; Cd. 5582, pp. 10-15 ; Cd. 6863, pp. 8-9. Statement by Sir A. Aylesworth, Canada, *House of Commons Debates*, session 1910-11, cols. 664-694.

were Dr. H. Lammasch (Vienna) as President, A. F. de S. Lohman (Netherlands) and L. M. Drago (Argentine). Sir Allan Aylesworth was agent for Great Britain, Newfoundland, and Canada. The tribunal met at the Hague on June 1, 1910; argument was completed August 12, and the award made September 12. Seven questions, two primarily affecting Newfoundland, and the others Canada as well, were submitted. On practically all important points the decisions were favourable to the Dominion contentions. On July 20, 1912, a treaty giving effect to the terms of the award and embodying the final settlement of this long-drawn-out dispute, was signed by the British Ambassador and the American Secretary of State.

The tribunal had upheld the right of Canada and Newfoundland to legislate regarding their territorial waters, but the United States took exception to practically the whole body of their regulations. Canada had expected and stipulated that the tribunal would decide these matters, but they were referred to a subordinate tribunal of three upon which that country was not represented. Hence the Dominion considered that more was to be gained by direct negotiation with Washington, and through the British Foreign Office a conference was arranged to meet in the American capital in January 1911.<sup>1</sup> In addition to Ambassador Bryce, there attended for Newfoundland Premier Morris and a Fisheries officer, and for Canada Hon. L. P. Brodeur (Minister of Marine and Fisheries), Sir Allan Aylesworth (Minister of Justice), and Dr. Wakeman (Fisheries Officer in charge of the Gulf of St. Lawrence). The conferees met twice a day for a week, and considered the fisheries regulations clause by clause. Existing differences were resolved, and to provide for future contingencies, it was decided to constitute two independent Boards or Mixed Commissions to deal with the relations of the United States with Canada and Newfoundland respectively, each to consist of a representative of the United States and of the Dominion concerned, with the addition of a third neutral member if necessary.

On his return to Ottawa Sir Allan Aylesworth strongly endorsed settlement by direct negotiation. He said :

As a result of these ten or a dozen meetings, I am very glad to be able to say that I think all our existing difficulties with regard to the

<sup>1</sup> See report by Sir A. Aylesworth, Canada, *House of Commons Debates*, session 1910-11, cols. 1988-2003.

fisheries up to the present known, have been satisfactorily cleared up. . . . All parties were agreed in disliking the disposition of the matter which had been made by the award of last September. Every person present was convinced that a great deal could be done by conference, by explanation, by possible modification of any objectionable provisions in the regulations, and by reasonable efforts to come to a friendly understanding.<sup>1</sup>

In commenting on this statement, Mr. Foster also came out strongly for immediate dealings, as opposed to reference to a distant and costly tribunal.<sup>2</sup> However satisfactory this settlement might be, it should be noted that it was distinctly subsidiary. The major political questions had already been disposed of, and there is slight ground for belief that direct negotiation on the part of Canada and Newfoundland in regard to them would have proved more satisfactory than had similar attempts heretofore. The other significant point in this connection is the provision for separate dealings with the United States on the part of the two Dominions. True they were separate and autonomous as regards legislative powers in the matter, but only one geographical area and one neighbouring foreign Power were involved, and the vicissitudes of the Blaine-Bond convention (1890) had shown the complications entailed by separate policies in this region.

Thus the main specific questions outstanding between Canada and the United States were amicably disposed of. No small credit for this is due to the Rt. Hon. James Bryce, who during this period (1907-12) filled at Washington virtually the dual rôle of Ambassador for Great Britain and for Canada. When treaties in which the latter country was concerned were under negotiation, consultation with and the full concurrence of the Dominion was the rule. To make general provision for dealing with questions which might arise in the future, also, a praiseworthy venture was launched. A treaty of January 11, 1909, between Britain and the United States, provided for a permanent International Joint Commission comprising three American and three Canadian members.<sup>3</sup> The latter were

<sup>1</sup> Canada, *House of Commons Debates*, session 1910-11, col. 1990.

<sup>2</sup> *Ibid.* col. 1999.

<sup>3</sup> Cd. 4558. See also Ewart, *Kingdom Papers*, No. 19, and Keith, *Imperial Unity*, pp. 518-519.

appointed by His Majesty on recommendation of the Governor-General in Council, to serve during pleasure. Since so important a section of the boundary between the two countries consists of waterways, the chief work of the Commission would relate to these. Without its approval, no obstruction, diversion, or use of boundary waters or of waters flowing from boundary waters which affects the natural flow or level on either side can be made. Applications for changes which would have this result must first secure the authority of the government concerned and then that of the Commission. Its hearings are judicial in form and its decisions final. The chief problem which has arisen in this connection has been that of the Chicago Drainage Canal, still awaiting settlement.

Still more important is the provision that :

Any questions or matters of difference arising between the High Contracting Parties involving the rights, obligations or interests of the United States or of the Dominion of Canada, either in relation to each other or to their respective inhabitants, may be referred for decision to the International Joint Commission by the consent of the two parties, it being understood that on the part of the United States any such action will be by and with the advice of the Senate, and on the part of His Majesty's Government, with the consent of the Governor-General in Council.

This article means that not merely questions relating to boundary waters, but any ground for dissension which may arise between the two countries may, *with the specific consent of the governments involved*, be submitted to the Commission for adjudication. In such cases the Commission has power not merely to examine and report, but to render a decision or finding. Should they for some reason be unable to agree, an umpire shall be chosen in accordance with Hague procedure, with power of final decision. Thus, although the treaty may have set up, as Mr. Root said, "a Hague Tribunal for North America," the Commission reveals all the limitations which the more famous body has displayed. It is doubtful whether a major political question would be submitted to it. Certainly the Alaska Boundary dispute could not have been thus settled. Even the issue of the Chicago Drainage Canal appears to have been more than it could handle. Whether the progressive fading of the visible bond between Canada and the Mother Country in regard to

foreign affairs will tend to increase or lessen resort to this mode of resolving controversies between the two countries remains to be seen. Nevertheless the tribunal furnishes the machinery whereby many vexatious delays and possibilities of friction may be avoided, and constitutes an interesting experiment in the conduct of its own foreign relations by a Dominion. Meanwhile, an equally interesting experiment had been launched by Canada in a more distant part of the world.

The relations between Canada and Japan in 1907<sup>1</sup> mark a significant new departure by the Dominion, a forecast of relationships to world politics which have been issues of major concern since the War. Growing opposition in British Columbia to Oriental immigration culminated in riots in Vancouver on September 7 and 9. These were directed primarily against the Japanese, and although arousing little comment in the Japanese press, they naturally evoked protests to Ottawa and London. The Japanese Foreign Minister expressed the hope that in view of the cordial relations existing between his country and Canada, consequent on the adhesion of the latter to the treaty of 1894, the matter might be settled at Ottawa independently of the British Government and the usual diplomatic channels. Accordingly the Canadian Government deputed Hon. Rodolphe Lemieux to Tokyo to smooth over the difficulty.<sup>2</sup>

It will be recalled that it was in this year that the Franco-Canadian commercial negotiations and much discussion of augmented treaty-making powers for Canada occurred. In this connection, therefore, it is interesting to note the tone of the following telegram from Ottawa to the Colonial Office (October 13, 1907):

It has been decided by His Majesty's Canadian Government to send to Japan, by steamer leaving Vancouver on the 28th instant, the Honourable Rodolphe Lemieux, Postmaster-General and Minister of Labour, to discuss the situation in British Columbia with Sir Claude MacDonald and the Japanese Government, with the object of preventing the recurrence of events whereby the happy relations which have existed under the treaty between His Majesty's subjects in Canada

<sup>1</sup> See Canada, *Sessional Papers* (1907-08), No. 74b, pp. 159-168; also *Canadian Annual Review* for 1907, pp. 380-398; Canada, *House of Commons Debates*, session 1907-08, cols. 1585-1614.

<sup>2</sup> The Cabinet also ordered an investigation of the Oriental immigration situation, and of the part played by American agitators in the British Columbia disturbances.

and elsewhere and those of the Emperor of Japan might be disturbed. Will you forward me credentials to show that the approval and support of the Crown are given to Mr. Lemieux's mission? He will be accompanied by Mr. Pope.

The cabled reply stated that time did not allow a formal letter of introduction, but quoted a proposed telegram giving the British Ambassador at Tokyo the desired instructions. This was agreed to and the directions sent. Mr. Lemieux conferred with the British Ambassador and with Count Hayashi, the Japanese Foreign Minister. He was also accorded an audience with the Empress, and tendered a banquet by the Tokyo authorities, at which he made a strong plea for closer commercial relations between Canada and Japan. In a statement regarding his mission, made in the Canadian House after his return, Mr. Lemieux claimed to have received written assurance from the Japanese Government that the "gentleman's agreement" of 1900-07 would be continued, and emigration voluntarily restricted by Japan. Alleging reasons of state, however, he refused to furnish further details of the arrangement.

Mr. Lemieux's mission was noteworthy in several respects. In the first place, although the suggestion that the matter should be dealt with by Canada alone appears to have come from Japan, and received the full concurrence of the British Government, throughout the affair the Dominion displayed marked initiative. The official correspondence contains no record of roundabout interchanges, suggestions and requests on the part of the Canadian Government and the British Colonial and Foreign Offices. Rather there was a decision of the Canadian Cabinet, a somewhat peremptory demand for official recognition of a purely technical nature, and prompt but routine action by the Home Government. The status and mode of authorisation of Dominion representatives in such cases was already established, and the Mother Country did not presume to assert discretion in the matter. From the tenor of Mr. Lemieux's report, moreover, one would judge that he conducted the negotiations, the British Ambassador acting merely as intermediary and assistant. In previous controversies involving political relationships, Canadian emissaries had been merely of the membership of British missions.

Furthermore, the issues in controversy, immigration and the

protection of foreign Nationals, entailed serious political considerations between the countries involved. It was indeed fortunate for Canada that she was still under British protection, and that Japan was the country with which she had to deal. Not merely was this an important political question, but it involved the relations of a Dominion with a distant world Power. True it was in a sense a purely Canadian affair, but the interests of the whole Empire could not but be concerned. The incident certainly marks a considerable step on the part of the Dominion towards individual participation in world politics—so important a step, in fact, that the cautious Sir Wilfrid Laurier found difficulty in so describing it as to avoid rousing apprehensions. In reply to a question by Mr. Foster in the House regarding the status of Mr. Lemieux, he said :

It is difficult to say exactly on what grounds he stands. We have no diplomatic status anywhere, but Mr. Lemieux has been introduced to the authorities at Tokyo by His Majesty's Ambassador, and it is under His Majesty's Ambassador that the negotiations—if negotiations they can be called—or representations, are being conducted.<sup>1</sup>

When pressed by Mr. Monk for a definite statement as to his status, Mr. Lemieux also obstinately evaded the question, offering nothing farther than the authorisation of the Canadian Order in Council in explanation of his mission.<sup>2</sup> Mr. J. Castell Hopkins, however, writing shortly after the event, aptly summarised the situation in these words :

Canadian relations with foreign countries assumed a phase of very distinct and rather peculiar importance during 1907—a position in which the Dominion acted as a sort of national partner in the Empire so far as control of negotiations and policy were concerned ; with all the prestige of Imperial power behind her, but without the responsibilities of an independent position.<sup>3</sup>

During the period prior to the War, then, the tendency in regard to foreign questions of a political nature in which the interests of Canada were involved had been entirely in the direction of direct participation by the Dominion in the conduct of negotiations—if not of assuming responsibility for their results. The *modus vivendi* which had been adopted regarding

<sup>1</sup> *Canadian Annual Review* (1907), p. 396.

<sup>2</sup> Canada, *House of Commons Debates*, session 1907-08, cols. 1608-1609.

<sup>3</sup> *Canadian Annual Review* (1907), p. 380.



commercial relationships was at the same time applied to political questions. As in the case of the former, Canadian representatives were appointed British plenipotentiaries *ad hoc*; they remained politically responsible to their own government, yet the legal unity of the Empire was preserved. Nevertheless there was less decentralisation in the conduct of political relationships. Dominion emissaries were members of British missions in which the representatives of the Home Government played always an important, and in the case of earlier negotiations, decidedly a dominant rôle, whereas in commercial matters, virtual independence in negotiation was achieved. Although Mr. Lemieux's mission to Japan is in some respects more significant than that of Messrs. Fielding and Brodeur to France in the same year, it was not, like the latter, concerned with a formal treaty.

That, by mutual consent, decentralisation should have been carried less far in the political sphere seems inevitable when we consider the relative extent to which the Imperial interest was involved in the two types of cases. From the point of view of the Dominion the issue was always one of intense local concern. But commercial questions were to a greater degree separable from general Imperial policy, they could to a greater extent be localised than could these political questions. In commercial relationships the prestige and power of the Home Government was a relatively less important factor, whereas in the other controversies the necessity of invoking British support was always imminent, and in consequence the influence of the government which must eventually pay the piper was more noticeable. Whatever Nationalists might say for political purposes in the Canadian Parliament or elsewhere, they were well aware of this fact; Laurier himself was a monument of caution on the subject. Nevertheless the latter constitutes the principal contribution of Canada towards the solution of the Imperial foreign relations issue during this period. In the light of subsequent events, this contribution should be considered the most important of those rendered by the Dominions. The implications were distinctly Nationalistic, for although co-operation with the Home Government was maintained, the emphasis was upon devolution both in the formulation and conduct of foreign policy.

Allied to the evolution of participation in local negotiations

is the progress made by the Dominions in the matter of direct representation in international conferences. The extent of this in recent years may be gathered from the pages devoted to them in the reports of the Dominions Department of the Colonial Office.<sup>1</sup> It is unnecessary to review this phase of the problem in detail. The issue does not become vital until after the War. The conferences in question dealt with relatively non-contentious matters—most of them, in fact, being non-political—not with serious problems of *Weltpolitik*. In discussions of the latter type, such as those at the Hague, the Dominions were still unrepresented. The fact that this was sometimes due to their own behest<sup>2</sup> reveals an unwillingness as yet to assume such a responsibility. Nevertheless some of the conferences which Dominion delegates attended were politically important, such as the Universal Postal Union Convention (1906), that of the International Union for the Protection of Industrial Property (1911), that of the Radiotelegraphic Union (1912), and the International

<sup>1</sup> Cd. 5582, p. 7 (1910-11); Cd. 6091, pp. 10-12 (1911-12); Cd. 6863, pp. 5, 7-8 (1912-13); Cd. 7507, pp. 8-9 (1913-14). For a discussion of this subject see Ewart, *Kingdom Papers*, No. 19; Keith, *Imperial Unity*, pp. 277-280. The following extract from the Dominions Report for 1910-11 will serve to illustrate the nature and extent of such representation: "The Government of the Transvaal was represented at the Botanic Congress held at Brussels in May, the Commonwealth of Australia at the Congress on Tropical Agronomy, and the Government of South Australia at the Congress respecting International Associations which were held at the same time. At the Railway Congress, held at Berne in July, the Government of Victoria and the Central South African Railways and the Administration of Natal were represented. New Zealand took part in the Family Education Congress which met at Brussels in August, while the Commonwealth of Australia was represented at the Congress of Entomology, which took place at the same time. South Australia sent a delegate to the Zoological Congress at Graz, which also met in August. The States of New South Wales, Victoria, and Queensland were represented at the Congress on Agricultural and Rural Demography held at Brussels in September; and in the same month the Commonwealth of Australia sent a delegate from the High Commissioner's Office to the Conference on Customs Statistics at the same place, while the Governments of Canada, New Zealand, South Australia, and the Administration of the Province of Natal in the Union of South Africa took part in the Congress at Brussels on Higher Technical Education. Canada, the Commonwealth of Australia, New South Wales, Victoria, South Australia, and Tasmania were represented at the Conference on Unemployment, which was held at Paris in September. Canada was also represented at the Congress on Conservation of Natural Resources held at St. Paul, United States of America, in September, and the Congress on Dry Farming held at Spokane in October. Canada, New Zealand, and Queensland sent delegates to Washington for the Prison Congress in October, and New South Wales, Victoria, Queensland, and South Australia were represented at the Congress on Cold Storage which took place at Vienna in the same month."

<sup>2</sup> E.g. the International Opium Conference at the Hague (1911).

Convention for the Safety of Human Lives at Sea (January 1914). In this way precedents were established for more important meetings later on.

Sometimes the status of Dominion spokesmen was more directly representative of their governments than at others. For instance, in 1906, Dr. Coulter, Deputy Postmaster-General, attended the Universal Postal Union Convention with a Commission under the Great Seal of Canada,<sup>1</sup> whereas at the meetings of the Radiotelegraphic Union (1912) and the Convention for the Safety of Human Lives at Sea (1914), the Canadians were commissioned by the Home Government separately "on behalf of" Canada. Politically, however, Dominion representation was distinctly Nationalistic. As early as 1883, at the International Cables Conference in Paris, where twenty-five Powers were represented, Sir Charles Tupper signed the protocols on behalf of Canada as one of the high contracting parties, and records what he avers was the first instance of Nationalistic dissension within a British mission. He relates that upon one important occasion he voted against all his British colleagues, and that, upon a reconsideration, they sided with him, after consultation with the Foreign Office.<sup>2</sup> At subsequent conferences Dominion delegates were equally willing to display the exercise of independent discretion. Another instance of independence, more striking because exhibited by a Dominion government, was in connection with the Convention for the Protection of Industrial Property. In 1910 the United States sent a direct invitation to Canada to participate; this was accepted. When later the Colonial Office despatched a memorandum of the subjects to be discussed, asking Canadian comments regarding them, the Dominion Government replied that since they were sending delegates to the conference, prior communication of their views would be unnecessary.<sup>3</sup> This marks the direct rejection of an Imperialistic effort to secure communal action on the part of the Empire delegation.

<sup>1</sup> But see Keith, *Imperial Unity*, p. 279.

<sup>2</sup> *Recollections*, p. 175; *Canada and its Provinces*, vol. ix. p. 176.

<sup>3</sup> Ewart, *op. cit.* p. 333.

## CHAPTER IV

### THE CONDUCT OF HIGH POLICY AND DEFENCE PRIOR TO THE WAR

THE close relation which exists in any State between defence and the conduct of foreign policy needs no elaboration. It has been much enhanced in Imperial politics by the fact that the Home Government consistently made assumption by the Dominions of a proportionate share of the defence burden the condition of their admission to Imperial counsels. This was the position taken by Mr. Chamberlain in 1897 and 1902. It was reaffirmed by the succeeding administration when Sir Henry Campbell-Bannerman, in his opening address to the 1907 Conference, assured the Premiers that "the cost of naval defence and the responsibility for the conduct of foreign policy hang together."<sup>1</sup> Throughout the controversy the reactions of Nationalists and Imperialists alike were conditioned by this inter-relation, and their attitudes to both questions must be considered simultaneously. Furthermore the Imperialists consistently utilised the defence issue as the handle for pushing their claims for Dominion participation in foreign relations. The one was argued as an emergency in which the fate of all was at stake, the other objective was represented as its obvious corollary. As Mr. Borden maintained: "When Great Britain no longer assumes sole responsibility for defence upon the high seas, she can no longer undertake to assume sole responsibility for and control of foreign policy, which is closely, vitally and constantly associated with that defence in which the Dominions participate."<sup>2</sup>

Despite this relation, however, and the persistent efforts of Imperialists to secure the settlement of both issues together, the

<sup>1</sup> Cd. 3523, p. 5.

<sup>2</sup> Canada, *House of Commons Debates*, session 1912-13, col. 676 (December 5, 1912).

Nationalists, bent on decentralisation, took matters into their own hands and in characteristic fashion dealt with that aspect of the problem which for the time being happened to touch them most nearly. While, as we have seen, they were securing virtually complete decentralisation in foreign commercial relations, and a large measure of devolution of local political questions, the defence problem had been more or less hanging fire. With German assistance this issue in turn came to a head. Meanwhile, through an alliance of Nationalism and Colonialism, to the ultimate advantage of the former, and despite Imperialist demands that the anomalous situation be given immediate attention, the equally serious problem of controlling foreign policy was held in abeyance, while the principal decisions governing future developments in the field of defence were rendered under Nationalist auspices. Thus, like the federation controversy, the defence issue, in its political aspects at least, is essentially a pre-War subject, and its leading features may all be disposed of at this point. Incidentally, however, several episodes relating to the conduct of high policy should also be noted, as they paved the way for the fundamental consideration of this question which followed the War.

### *Imperialist Defence Strategy—Opposing Factors*

From such a stand-point as theirs the Nationalists (save in Britain itself) cannot properly be said to have had a strategy of Imperial defence at all. That was left to the Imperialists. The latter advanced their programme, and the succeeding controversy was one as to the extent to which it could be rendered acceptable to Nationalists as well as Imperialists throughout the Empire and Dominion support secured. The Imperialists, as has been emphasised, continually visualised a major conflict in home waters by which the future of the entire Empire would be decided. In such a crisis the fate of all would probably be settled in one vital spot and perhaps by one decisive battle. There would be the first and crucial line of defence, for were it broken the several parts of the Empire could not separately and in isolation render any effective resistance to the invader. Meeting such a situation involved systematic preparations on a large scale long prior to the actual outbreak, for Imperialists never admitted that triteness

had impaired the validity of the old adage "in time of peace prepare for war." Above all unity in strategy and integration of all resources were essential to the effectiveness of defence measures.

Granting the interdependence of the Empire and the need of preparation for a major struggle, sea-power became the vital factor. It did not require Captain Mahan's epoch-making work <sup>1</sup> to bring this fact to their attention. No part of the widely dispersed Empire, save perhaps Canada and India in specific cases, could be menaced by a foreign Power which did not first secure command of the sea, nor could any part be made capable of prolonged existence once the British fleet had been eliminated. These principles were clearly set forth in a memorandum prepared by the Admiralty for the 1902 Conference,<sup>2</sup> and underwent no essential modification in subsequent pronouncements. It was argued :

The command of the sea is decided by the result of great battles at sea. . . . To any naval power the destruction of the fleet of the enemy must always be the great object aimed at. It is immaterial where the great battle is fought, but wherever it may take place, the result will be felt throughout the world, because the victor will afterwards be in a position to spread his force with a view to capturing or destroying any detached forces of the enemy, and generally to gather the fruits of victory, in the shape of outlying positions . . . shipping and commerce, or even to prosecute overseas campaigns. . . . It is the battleships chiefly which will have to be concentrated for the decisive battle, and arrangements with this object must be made during peace. . . . Our possible enemies are aware of the necessity of concentrating on the decisive points. They will endeavour to prevent this by threatening our detached squadrons and trade in different quarters, and thus obliging us to make further detachments from the main fleets. All these operations will be of secondary importance, but it will be necessary that we should have sufficient power available to carry on a vigorous offensive against the hostile outlying squadrons without unduly weakening the force concentrated for the decisive battle, whether in Europe or elsewhere. The immense importance of the principle of concentration and the facility with which ships and squadrons can be moved from one part of the world to another . . . points to the necessity of a single navy, under one control, by which alone concerted action between the several parts can be assured.

<sup>1</sup> A. T. Mahan, *The Influence of Sea-Power upon History* (1890).

<sup>2</sup> "Memorandum on Sea-Power and the Principles Involved in it" (Cd. 1299, Appendix IV, pp. 54-56). See also Keith, *Selected Speeches and Documents*, vol. ii. pp. 230-239.

These principles were strongly reaffirmed by the succeeding British Administration at the 1907 Conference.<sup>1</sup>

It will be seen from this that the need of local defence arrangements supplementary to the mobile main fleet was recognised. Imperialists were even quite ready to admit that a place existed for local Dominion navies, provided they fitted into the Admiralty's more comprehensive plan, and did not divert attention from the main defences. That local defence must always be considered of secondary importance was insisted upon, however. It should be limited to the provision of naval bases and of safeguards against possible raids. The endorsation of the Dominion "fleet unit" scheme in the 1909 Defence Conference savours less of a strategic decision than of a political concession to Nationalist demands, for the continuing *penchant* of the British Government for centralised defence is well illustrated by Mr. Churchill's remarks (March 17, 1914) on the gift of a Dreadnought by New Zealand :

No greater insight into political and strategical points has ever been shown by a community hitherto unversed in military matters. The situation in the Pacific will be absolutely regulated by the decision in European waters. Two or three Australian and New Zealand Dreadnoughts, if brought into line in the decisive theatre, might turn the scale and make victory not merely certain but complete. The same two or more Dreadnoughts in Australian waters would be useless the day after the defeat of the British Navy in home waters. Their existence would only serve to prolong the agony without altering the course of events. Their effectiveness would have been destroyed by events which had taken place on the other side of the globe, just as surely as if they had been sunk in the battle. The Admiralty are bound to uphold and proclaim broad principles of unity in command and in strategic conceptions, and of concentration in the decisive theatre and for the decisive event. That is our duty, and we are bound to give that advice in a military and strategic sense. The Dominions are perfectly free.<sup>2</sup>

Of secondary importance, also, in the general scheme of Imperial defence, was the military aspect. What seemed the proper relation between the two branches of the Service was laid down in a paper prepared by the General Staff for the 1907 Imperial Conference.<sup>3</sup> Extracts from this will illustrate :

<sup>1</sup> Cd. 3523, pp. 128-152 ; Cd. 3524, No. viii.

<sup>2</sup> Quoted in Keith, *op. cit.*, vol. ii. at pp. 353-354.

<sup>3</sup> "Strategical Considerations of the Empire from the Military Point of View" (Cd. 3524, pp. 18 *et seqq.*).

1. No review of the strategical conditions of the British Empire, even when such a review is limited to the purely military aspects of the question, can be undertaken without admitting as a first and fundamental principle that the maintenance of the Empire rests primarily on supremacy at sea. . . . Whilst thoroughly appreciating how absolutely vital to us is this command of the sea, we must not, however, lose sight of two all-important considerations. In the first place it must be clearly understood that naval supremacy is powerless, unaided, to bring a great war to a successful conclusion, a fact which has been proved by history in all ages ; in the second place we must realise that the British Empire, with its vast land frontiers and continental responsibilities, is confronted by dangers against which naval force can offer it little, if any, protection.

2. The second great principle which must govern the military organisation of the Empire is that each portion of it should, as far as possible, maintain sufficient troops for self-defence. . . .

3. The third principle to be borne in mind in this consideration of the military requirements of the Empire is the great one of mutual support at a time of emergency. It is evident that under certain circumstances the land forces of the various territories of the Empire may be impelled by considerations both of safety and sentiment to act together in some great conflict which may imperil our national existence. Should such a situation arise it would be impossible to over-rate the advantage of having in every case a system of military organisation capable of being readily assimilated to that of the many other contingents which would compose the Imperial army.

These principles were reiterated in a memorandum for the 1909 Defence Conference.<sup>1</sup>

Unity, especially unity in command, was the *sine qua non* of Imperial naval defence. Uniformity, on the other hand, was perforce the desideratum in military preparations. These admitted, in fact necessitated, greater decentralisation in command, equipment and training. Armies could to an extent be improvised, not so the fleet. Furthermore, the militias were indigenous to the Dominions and constantly visible to the population while the fleet was not. Hence sentimental and political considerations abetted Nationalism more strongly in military concerns. Even as strong an Imperialist as Sir Joseph Ward insisted that there should be no interference by a central organisation with the internal military projects of the Dominions.<sup>2</sup> Nevertheless

<sup>1</sup> Cd. 4948, p. 33.

<sup>2</sup> Cd. 8566, pp. 52-53. The Dundonald affair in Canada offers a salient example of the greater influence of politics and Nationalism in military matters, see *Canadian Annual Review* (1904), pp. 110-147.



Imperialists strove for standardisation in military organisation, equipment and training throughout the Empire—to be stimulated and tested in peacetime by interchange of officers or even entire units as far as possible—so that when the time for action arrived, Dominion detachments could become integral parts of an Imperial army.<sup>1</sup>

The immediate and primary motive for this emphasis throughout upon sea-power was the strategy of Imperial defence—the basic consideration that under existing circumstances the safety of every part of the Empire depended upon command of the sea, that were it surrendered any region might be reduced at leisure by the successful foe. But Imperialists have realised that on the political side just as surely the future integrity of the Empire depends upon its remaining a “Sea Commonwealth.” Emphasis upon its maritime character, therefore, has been a cardinal feature of Imperialist technique, for should this languish the Mother Country would be left alone on the periphery of Europe, the Dominions must focus their attention inward upon the politics of the continents wherein they are situate, and the British Nations would lose what is perhaps their chief bond of union. This view was trenchantly set forth, for instance, by Lord Selborne in the memorandum he submitted to the 1902 Conference. With great penetration he indicated one of the most serious centrifugal forces in the Dominions :

‘The danger to the Empire which I fear is that Canada, South Africa, and Australia, being in fact continents, should become too much continental and too little maritime in their aspirations and ideas. The British Empire owes its existence to the sea, and it can only continue to exist if all parts of it regard the sea as their material source of existence and strength. It is therefore desirable that our fellow subjects in the Dominions beyond the seas should appreciate the importance of naval questions. . . . If they will undertake a larger share of the naval burden, well and good. But I regard it as of even more importance that they should cultivate the maritime spirit, that their populations should become maritime as ours are, and that they should

<sup>1</sup> “It will be remembered that, when Lord Roberts landed in South Africa at the beginning of 1900, owing to the heterogeneous nature of the force placed under his command, he had to spend more than a month of valuable time in evolving a new transport organisation for the army, before any further strategical measures could be undertaken. To obviate this waste of valuable time and energy it is essential that all troops placed under the command of a general in the field should be organised on a single system, and that system should be one with which the commander is closely acquainted and on which the bulk at any rate of the army has been trained” (Cd. 3524, p. 23).

become convinced of the truth of the proposition that there is no possibility of the localisation of naval force and that the problem of the British Empire is in no sense one of local defence.<sup>1</sup>

When one pauses to think of the developments and changes that have intervened since these words were spoken, the soundness of this Imperialist emphasis becomes manifest. Landward, not seaward, the Nationalist's steps have turned ; inward to their own development and its problems, not outward to world politics and the Empire's place in them, has their gaze been fixed.

These were all Imperialist principles of defence strategy, as their public utterances show. But though promulgated by one British Government which was Imperialist, they were reiterated by another which was Nationalist. As regards Imperial defence, in fact, the situation of the Mother Country was peculiar. In this respect she was truly the heart of the Empire, the centre of Imperial commerce, and in view of the location of the chief potential danger, inevitably the main object of attack. Hence there was a natural coincidence of measures for the defence of the whole Empire and for protection of the British coasts. Thus in her case Imperialism and Nationalism to an extent merged, which made the elucidation of Admiralty pronouncements at Imperial Conferences frequently difficult and laid Imperialist contentions open to suspicion. Nationalists in the Dominions did not fail to seize upon this fact as a handle for criticism of the centralised plan. They professed to see in it evidence of care for home interests only, especially in the British Government's continued disparagement of Dominion navies.

Even among Imperialists there were differences of opinion upon the matter of local needs. To the United Kingdom, utterly dependent upon importations from overseas, " it was no longer a question of defence against invasion, it was a question of providing against starvation." <sup>2</sup> The report of the committee on naval manœuvres of the Navy League, for example, urged : " There should always be an effective reserve squadron, absolutely confined to home waters, sufficient to hold the Channel, and protect the coasts and commerce of the United Kingdom, in addition to the coast defence ships which would be added for active local

<sup>1</sup> Cd. 1299, p. 20.

<sup>2</sup> Col. Geo. T. Denison to the London Chamber of Commerce : *London Chamber of Commerce Journal* (1902), pp. 152-153.

defence." To this the editor of the Navy League handbook added : " The experience of the Spanish-American war has shown that public opinion will always clamour for a home squadron. We had a squadron in the Channel all through the Trafalgar campaign." <sup>1</sup> Such an argument, of course, was liable to prove a boomerang. In the Dominions, also, insistence upon local defence needs was as noticeable as in the Mother Country, particularly in Australia and New Zealand, which were sensible of an Asiatic menace. Even Sir Joseph Ward, convinced Imperialist as he was, while favouring one great Imperial Navy, and one Imperial defence plan, insisted that the safeguarding of the Pacific was as important as that of the Atlantic and that this plan should be formulated with due consideration of Australasian needs.<sup>2</sup>

Whatever its validity, emphasis upon local defence needs did imply some regard for strategic considerations, even if the contentions seemed of minor importance to Imperialists. There was a further element in the Nationalist reaction, however, which cared for none of these things. Australia, for example, did criticise the Naval Agreement of 1902 on grounds of inadequate protection, but their main objection had no relation to high policy whatsoever :

The British man-of-war and the British seaman awaken enthusiasm whenever they visit our ports because, being English, they are inseparably associated with our race and history ; but the particular squadron supposed to be paid for in part by us is not specially Australian any more than it is Anglo-Indian or representative of the Straits Settlements, to which it may be called at any time. What is really required is that any defences, if they are to be appreciated as Australian, must be distinctively of that character. At present we are without any visible evidence of our participation in the Naval force towards which we contribute. . . . No Commonwealth patriotism is aroused while we merely supply funds that disappear in the general expenditure of the Admiralty. The Imperial sentiment languishes too, since the squadron is rarely seen in most of our ports, and then only by a small proportion of the population.<sup>3</sup>

This passage reveals what has probably been the preponderating motive in the establishment of Dominion navies, and the funda-

<sup>1</sup> (Dec. 2 1902) ; quoted in Ewart, *Kingdom of Canada*, p. 194, footnote.

<sup>2</sup> To the 1907 Imperial Conference, Cd. 3523, p. 137 ; cf. his letter to the Admiralty (August 11, 1909), Cd. 4948, at p. 27 ; also 1911 Conference, Cd. 5745, p. 49.

<sup>3</sup> Cd. 3524, p. 70, Premier Deakin to the Governor-General (August 28, 1905).

mental objection to anything savouring of direct defence contributions. The taxpayer in the Dominions, as at home, likes to see what he has paid for, strategic considerations or anything else to the contrary notwithstanding. In Canada, also, pride in local armaments, as the indisputable manifestation of emerging nationhood, seems to have been the chief incentive. Those who eschew democracy and are sceptical of the wisdom of the multitude may say what they will of this attitude, but they cannot ignore its potency in moulding Imperial history.

The influence of local economic interests in shaping general policies even in face of major Imperial considerations must not be forgotten. Little is known as yet of the mainsprings of Nationalism. In the present writer's opinion they are to be found in localised economic interests and in the case of the Empire these have been the dynamic forces. This is more evident in connection with fiscal problems, but as regards decentralisation in defence preparations it is not hard to realise how those who stood to profit by the undertaking of local defence measures should be able readily to convince themselves upon strategic questions, and feel an evangelical zeal for the conversion of their countrymen. If local economic considerations do not often rise to the surface in Imperial Conference discussions, they are not neglected in campaign speeches. Discussing the proposal for a Canadian navy, Mr. Borden said :

'The integrity of the Empire can be best preserved by co-operation in defence and in trade. . . . It is my own belief that a Canadian unit of the Imperial navy may be made powerful and effective. I also believe that in any such undertaking our own natural resources and raw material, and above all, our labouring population, ought to be considered and employed as far as may be reasonably possible. That course is incident to the policy of protection.<sup>1</sup>

Again he reasoned :

In this connection may we not hope that there shall be given a stimulus and encouragement to the shipbuilding industry of Canada which has long been lacking. To-day should be Nova Scotia's opportunity. . . . By the use of our own material, the employment of our own people, the development and utilisation of our own skill and resourcefulness, and above all, by impressing upon the people a sense of responsibility for their share in international affairs, I regard

<sup>1</sup> (November 1, 1909). Quoted in *Canada and the Navy*, Liberal Publications, No. 9.

the resolution of last March as the most important step towards co-operation that has been made in this country for twenty-five years.<sup>1</sup>

The Tariff Committee of the Canadian Manufacturers' Association, regarding the same issue, stated :

It affords your Committee much pleasure to report that in respect to the Canadian naval programme, the conditions of contract provide that the hulls of the vessels, the propelling engines, and the boilers must be built in a shipyard established in Canada, and the materials and the machinery used in the construction and equipment of these vessels must be of Canadian manufacture where possible, and in any case must be manufactured within the British Empire.

This report was adopted by the Executive Committee with the addition, "that the policy of the Dominion Government with regard to the building of the vessels for the Canadian Navy should be publicly endorsed by the Association."<sup>2</sup> When we consider such a pronouncement, and the tremendous influence wielded over Canadian policies by this organisation, we have gone far in explaining the stand taken by the Canadian Government towards Imperial defence. These same considerations, also, should doubtless be invoked to explain at least in part the anxiety of the Home Government that Dominion defence equipment should be procured in Britain.

### *The Conduct of Foreign Policy and Defence (1897-1902)*

The whole nineteenth century may be said to have been a period of Colonialism in Imperial defence as in foreign relations. In naval matters, the sole responsibility, strategic and financial, and the sole authority over the disposition of the fleet, rested with the Mother Country. One exception was made in deference to the fears of Australasia. By special agreement at the 1887 Conference, five cruisers and two torpedo boats were to be assigned to Australian waters and not to be removed without Colonial consent. In return for this these Colonies were to contribute £126,000 annually to the British Government, a sum which was increased in 1903 to £240,000. Canada, anticipating no danger, refused contributions on the plea that her annual expenditure of \$1,000,000 on land defences was sufficient. In

<sup>1</sup> At Halifax (October 1909). Quoted in *Canada and the Navy*, Liberal Publications, No. 31, p. 11.

<sup>2</sup> *Industrial Canada*, organ of the C.M.A., vol. xi. p. 1161, Executive Committee Proceedings (May 1911).

military matters, however, the Colonies were much more active. The part played by Canada in her own defence during the war of 1812 is fully set forth in all her school history texts. The Colonies offered aid to Britain during the Crimean war and participated effectively during the Soudan trouble. Although their Government was neutral, between forty and fifty thousand Canadians fought in the Union army during the American Civil War, and immediately afterwards defended themselves with equal ardour against invasion from the United States. The policy of the British Government during the latter half of the century was that of devolving upon the Dominions the responsibility for their own land defence establishments, and of gradually withdrawing the British garrisons. This process was practically complete by 1870. The naval bases of Halifax and Esquimalt, however, were not taken over by Canada until 1906 and 1910 respectively. Meanwhile, the Dominions passed legislation providing for the organisation and discipline of their militia forces.<sup>1</sup>

When the 1897 Conference met, the defence issue was not yet ripe, but Mr. Chamberlain saw into the future and had his Colonialist-Imperialist proposal ready.<sup>2</sup> In submitting it he based his argument on the Imperial character of the Home Government's vast expenditure for armaments—almost thirty-five million pounds annually. All the wars of that century and reign had had a Colonial basis, and without her Empire Britain's expense burden would have been nothing to what she was now supporting, since it was for the protection of Imperial interests and trade all over the world, not merely for the defence of the United Kingdom. As regards naval defence, the Government's policy was to seek Colonial aid through direct and unhampered contributions to the Imperial treasury. Thus it endorsed the policy laid down in the Australian Naval Agreement of 1887, but asked a free hand as to the disposal of the fleet.<sup>3</sup>

In the matter of military preparations, Mr. Chamberlain stated what, with expedient modifications, has been the Imperialist ideal in this respect ever since :

An uniformity of arms is, I need scarcely say, of immense importance, as it gives us interchangeability of weapon, and there are also

<sup>1</sup> R. L. Schuyler, "The Recall of the Legions," *American Historical Review*, vol. xxv. pp. 18-36.

<sup>2</sup> C. 8596, pp. 7-10.

<sup>3</sup> *Ibid.* pp. 15-17.

uniformity of equipment, some central provision for stores, and for the military instruction of the local forces, all of which can be arranged with the assistance of the Colonies, and, I believe, very much to their advantage.

But I am looking forward to something more than that. The interchangeability in the several groups is a matter of great importance, but how much greater it would be if there were interchangeability between the whole forces of the Empire, between the forces which you have in the several Colonies and the forces of which you have seen some examples at home since you came to these shores. . . . The idea is that this should be chiefly for purposes of drill and instruction, and I cannot doubt that it will be of enormous advantage to the Canadian troops, and to the troops of the Colonies, to measure themselves against the regular army, and to learn the discipline and the manœuvres which are practiced on a large scale in this country.

But my imagination goes even further. It seems to me possible that although in the first instance the idea is that such a regiment coming to this country would come solely for that purpose, and would not be engaged in military operations, yet if it were their wish to share in the dangers and the glories of the British army, and take their part in the expeditions in which the British army may be engaged, I see no reason why these Colonial troops should not, from time to time, fight side by side with their British colleagues.<sup>1</sup>

Standardisation of military equipment and training throughout the Empire, interchange not merely of officers, but of whole military units if possible, and the prospect of overseas service for Dominion troops—these three aims set forth by Chamberlain, together with the subsequent proposal of an Imperial General Staff, constituted the Imperialist programme of military defence throughout the pre-War period.

The actual results of the 1897 Conference as regards Imperial defence were inconclusive.<sup>2</sup> The Premier of Cape Colony announced the unconditional grant of one first-class battleship, but in general the Home Government's recommendations were merely taken under advisement by the members of the Conference. Events now began to move more swiftly, however. Between the sessions of 1897 and 1902 there intervened the South African War and the definite emergence of the German menace. This brought the defence issue to a head, for the spur of grim necessity had been driven into those responsible for the Empire's safe-keeping. There was also afforded an admirable opportunity for projecting the conduct of Imperial foreign relations into the field

<sup>1</sup> C. 8596, p. 9.

<sup>2</sup> *Ibid.* p. 18.

of practical politics. Mr. Chamberlain was in the Colonial Office, but Sir Wilfrid Laurier was at the head of Canadian affairs. The tide of reaction to anti-Imperialism was flowing and the first important opportunity was now presented of testing Imperial unity in military action, or of formulating alternative policies. The circumstances of the conflict, too, evoked Nationalist rumblings, so that conflicting schools of thought had begun to formulate their arguments and align their forces.

The issue was joined in Canada.<sup>1</sup> Even making due allowance for the exigencies of party politics, the debates upon participation in the South African War mark the emergence of those conflicting policies which succeeding controversies served merely to amplify and accentuate. In contrast to the late struggle in Europe, the situation was well calculated to draw out dissentient viewpoints. There were reasonable grounds for discussion as to the ethics of the undertaking itself. Of major significance also was the fact that Canada ran no risk of invasion. Divergent attitudes towards the Britannic Question were not fused by immediate danger of annihilation. The Nationalist could well stand aloof, or perhaps urge participation in order to enhance the prestige of his own Nation within the Empire.<sup>2</sup> The Colonialist or the Imperialist, according to their several viewpoints, could demand assistance to the Mother Country or the Empire, as the case might be. In other words, the political situation was that less tense one

<sup>1</sup> It has not been thought necessary to review discussions of this issue during its earlier and mainly academic stage. The following single illustration, however, from a particularly important speech by Edward Blake at Aurora, Ont. (Oct. 3, 1874), is perhaps admissible: "The time may be at hand when the people of Canada shall be called upon to discuss the question (Imperial federation). Matters cannot drift much longer as they have drifted hitherto. The Treaty of Washington produced a very profound impression throughout this country. It produced a feeling that at no distant period the people of Canada would desire that they should have some greater share of control than they now have in the management of foreign affairs; that our Government should not present the anomaly which it now presents—a Government the freest, perhaps the most democratic in the world with reference to local and domestic matters, in which you rule yourselves as fully as any people in the world, while in your foreign affairs your relations with other countries, whether peaceful or warlike, commercial or financial, or otherwise, you may have no more voice than the people of Japan. This, however, is a state of things of which you have no right to complain; because so long as you do not choose to undertake the responsibilities and burdens which attach to some share of control in these affairs, you cannot fully claim the rights and privileges of free-born Britons in such matters." Reprinted in *Can. Historical Review*, vol. ii. at p. 255.

<sup>2</sup> Sir Wilfrid Laurier's justification of Canadian participation strikingly exemplifies the latter position.



which exists when the call is for an expeditionary force, not a nation in arms.

The mode of Canadian participation in this enterprise involved several important constitutional and political considerations. There was an undoubted effort on the part of Mr. Chamberlain to utilise the impending crisis as the occasion for a marked demonstration to the world of Imperial military unity. This should take the form not merely of moral support, but of spontaneous, *official* offers of contingents by the Dominion governments. There seems to be just ground for the belief of the ultra-Nationalists in Canada that the Colonial Secretary was aiming at the immediate military federation of the Empire. He did not as yet, however, include the correlative proposition of sharing the conduct of foreign policy with the Dominions. Thus on July 31, 1899, before armed conflict had become certain, the Canadian House, at the instance of an agent of the South African League, had passed a unanimous resolution of sympathy with the cause of the Uitlanders. Lord Minto, the Governor-General, had been urging upon the Premier the advisability of a pronounced display of co-operation. Moreover, early in October, Mr. Chamberlain hastened to accept what was apparently a purely putative offer of Canadian assistance, and cabled full instructions to guide the sending of contingents.

Meanwhile public opinion in Canada, apart from French Quebec, was acquiring war fervour, and the Government was considering important problems. Liability of volunteers under the Militia Act extended only to the actual defence of Canada, and at first the Government took the ground that under the circumstances nothing could be done save by authorisation of Parliament, which was now prorogued. Later, however, it was decided that volunteers might be recruited specifically for overseas service, and that expenditure for their equipment and transportation might be incurred in anticipation of parliamentary authorisation. In addition to these constitutional questions, there was the broad issue of policy regarding participation in the wars of the Empire, upon which the Premier had definite views. Hence the Order in Council authorising the first Canadian contingent included an important reservation. It ran as follows :

The Prime Minister, in view of the well-known desire of a great many Canadians who are ready to take service under such conditions,

is of opinion that the moderate expenditure which would thus be involved for the equipment and transportation of such volunteers may readily be undertaken by the Government of Canada without summoning Parliament, especially as such an expenditure, under such circumstances, cannot be regarded as a departure from the well-known principles of constitutional government and colonial practice, nor construed as a precedent for future action.<sup>1</sup>

Thus, when Parliament reassembled, the Government had laid itself open to attack from the one side for its apparent dilatoriness and half-hearted action, and from the other for gratuitously precipitating Canada into an Imperial war, thus creating a dangerous precedent, and that, above all, without parliamentary sanction.

When Parliament met in February 1900, discussion of the issue was mainly concentrated in two debates. The first was on the address in reply, in which Sir Charles Tupper (leader of the Opposition), the Premier, Mr. Foster, and Sir Richard Cartwright (Minister of Trade and Commerce) took part.<sup>2</sup> The second was on Mr. Bourassa's amendment on going into supply (March 13), which called for a specific declaration by Parliament that the action of the Government in regard to the war must not be considered a precedent for future action in such cases, and that no changes in the political or military relations of Canada and Great Britain should be effected save by action of the Canadian Parliament and people. The participants were Mr. Bourassa, Sir Wilfrid, and three of Mr. Bourassa's supporters.<sup>3</sup> The outstanding features of these discussions were, first, that the main question was Canadian participation in the wars of the Empire; sharing in the conduct of foreign policy was hardly as yet broached. Secondly, and closely relating to this, was the fact that the antithesis was between Colonialism and Nationalism; Imperialism seemed merely potentially in existence.

Sir Charles Tupper confined his discussions to the war. He attacked the Government for the dissent and disloyalty within the Liberal ranks, particularly Laurier's toleration of Tarte as Minister of Public Works, for the lack of vigour displayed regarding Canadian participation in the struggle, and specifically

<sup>1</sup> Cd. 18, No. 93.

<sup>2</sup> Canada, *House of Commons Debates*, session 1900, cols. 10-80, 84-136 (February 5 and 6).

<sup>3</sup> *Ibid.* cols. 1793-1876. This motion was negatived, 119 to 10.

for their failure to place the full cost of the contingents upon Canada. He said :

There was one undivided public sentiment that the honour and the interest of Canada alike required, that the entire expenditure connected with the aid given by the Government of Canada to the British Government in South Africa should be borne by Canada. I hope it is not too late yet. Threatened as my hon. friend no doubt is by the Minister of Public Works and by his contingent of revolvers that he has got into a cave, I do hope it is not too late for my right hon. friend to reconsider that question. Down to the present hour I find no statement made by the Government of any wish or desire that Canada should be permitted to bear the entire expenditure. But I say more. The right hon. gentleman knows that the press of the Conservative party is unanimous on that question. He knows that the Conservative press throughout Canada heartily and warmly endorses the policy of Canada doing all that is required and doing it thoroughly and completely, as eminently for our honour and in our interest. . . . This is the hour of England's need, as every one must know who has witnessed the fearful cost of blood and treasure which England has been put to in the struggle in South Africa. Where is there a man to be found in Canada, who, under these circumstances, would ask that an additional penny be charged against the people of the British Isles for the maintenance of the forces sent by the Canadian Government to aid the Mother Country in her necessity.<sup>1</sup>

He did not broach the question of Canada's sharing in the foreign counsels of the Empire, in fact he was Colonialist enough to reprobate the raising of this issue, and in common with the Liberal spokesman, stressed the voluntary nature of Canadian action :

When certain gentlemen speak of taxation without representation, do they know what they are talking about ? . . . If the Parliament of Great Britain were to impose a single dollar of taxation upon the people of Canada for the support of the great navy which gives security to our commerce, that would be taxation without representation ; but to tell me that the free Parliament of Canada cannot vote the money of this country to help in her hour of need the great Empire, of which we are proud to form a part, is to tell me that which every person knows to be at variance with the facts.<sup>2</sup>

Both these points were stressed by Mr. Foster, who took the same stand regarding them as did his chief.<sup>3</sup> Sir Charles freely mingled the motives of national self-respect, aid to the Homeland, and

<sup>1</sup> Canada, *House of Commons Debates*, session 1900, cols. 48, 59.

<sup>2</sup> *Ibid.* col. 59.

<sup>3</sup> *Ibid.* cols. 117, 120, 123.

contribution to the Empire. Mr. Foster concluded with a repudiation of independence as the probable destiny of Canada, and a strong plea for closer Imperial bonds. Nevertheless their emphasis was still upon the duty to the Mother Country, not upon Imperial co-operation as such. This, and their failure to consider participation in Imperial foreign policies as the correlative of defence aid would characterise the attitude of the Canadian Opposition at this time as still Colonialist, rather than Imperialist.

The first debate marked the attack upon the Government from the Conservative side of the House ; in the second, official Liberalism met the assault from the left wing of its own supporters. We have already discussed the basic attitude of the ultra-Nationalist school in French Canada towards Imperialism—the fear of any tendency to submerge their national minority in a still greater whole, the strongly anti-militarist ingredient in their philosophy, and their view of the Empire as potentially a mere engine of conquest and suppression.<sup>1</sup> Fears for the future of Canada, as well as a considerable measure of sympathy for the Boers, who seemed to be in a situation analogous to their own, strongly characterised their reaction to Canadian participation in the South African War. In urging their resolution, Mr. Bourassa and his supporters took the ground that the Government had been jockeyed by Mr. Chamberlain into creating a dangerous precedent, into taking, without parliamentary authorisation, a serious step towards the military federation of the Empire, and that the House should expressly go on record as repudiating any such intention.

Mr. Bourassa argued <sup>2</sup> that this was the first case of Canadian participation in an Imperial war, and that Parliament should have been consulted regarding so radically new a departure in policy. The action of the Government was apparently based on the parliamentary resolution of July, but this did not anticipate war, it was merely analogous to the resolutions of 1882 and 1836 expressing sympathy with Irish Home Rule. The spirit, if not the letter, of the Militia Act was against the sending of expeditionary forces. As far as he was concerned, the distinction between sending enlisted men, and enlisting men and sending them, was too fine for his bucolic intellect. Canada was alone among the Dominions in thus acting without parliamentary

<sup>1</sup> *Supra*, ch. i.

<sup>2</sup> *Debates*, *loc. cit.* cols. 1793–1837.

sanction. The plea of urgent necessity, certainly as regards the second Canadian contingent, was fallacious in view of the resources of Great Britain and the great significance for the future which was avowedly implied in the fact of Dominion co-operation. Offers from the Crown Colonies and private offers had not been accepted. What was wanted was offers from the self-governing Colonies, in order to constitute a "display of Imperial militarism" not merely for the purposes of this war, but as an example and warning to the world—a demonstration which might well prove a boomerang, when it was seen that two little Boer republics had for four months checked "a vaster Empire than has been." The nature of the scheme was evident. The accomplished fact had made the precedent. The sending of troops was officially accepted as proof of a willingness to do it again. The almost unanimous voice of the Press, British, Canadian and foreign, had put the same interpretation as he did upon such action. The London *Outlook* had summed up the matter in the clearest and shortest way—"This is Imperial federation."

These arguments were reiterated by Messrs. Monet, Angers, and Chauvin, in support of Mr. Bourassa. None of these speakers discussed the problem of Dominion participation in Imperial counsels, but the time-worn argument of "no taxation without representation" was a slogan of their faction. Mr. Tarte, for instance, argued in *La Patrie*: "The most sacred prerogative of a British subject is not to pay taxes either in money or in blood without having the right of representation. Canada has no voice in Imperial affairs. We are not represented in the Parliament of Great Britain."<sup>1</sup> Moreover, at a meeting of Mr. Bourassa's constituents on October 22, 1900, it was resolved: "That we oppose all attempts of greater federation on behalf of the Empire, and also the participation of Canada in the Imperial wars without any right of representation in the Imperial councils."<sup>2</sup> This stand, however, by no means implied a desire to accept participation were it offered them. Rather was it an argument for the total repudiation of Imperial obligations.

Sir Wilfrid Laurier defended his conduct from attacks on both sides.<sup>3</sup> No more important question had ever been before

<sup>1</sup> (October 14, 1900); quoted by Tupper, *Debates*, *loc. cit.* col. 33.

<sup>2</sup> Quoted by Foster, *ibid.* col. 118.

<sup>3</sup> *Ibid.* cols. 61-79, 1837-1848.

the Canadian Parliament. He admitted a lack of enthusiasm for the war. He himself had hoped for peace, co-operation, and the federation of South Africa, now doomed to long postponement. In any case he had done well in delaying action until public opinion had spoken unmistakably. Popular demand had justified the expenditure in anticipation of parliamentary sanction, but the reservation in their Order in Council clearly precluded their action becoming a precedent. He was still of opinion that the Canadian Militia Act could not be invoked for expeditions of this kind, and that the volunteers must be recruited for separate service under the British government. As for his failure to incur the whole cost of the Canadian contingents, that matter had been settled by the express wish of the Imperial government, and concurrence was in the interest of Imperial co-operation. "Instead of having the majestic movement which you have to-day, of uniform action between Great Britain and all her Colonies," retorted Sir Wilfrid, "the honourable gentleman (Tupper) wants to have a balky team with no two members pulling in unison."<sup>1</sup>

On the main issue the Prime Minister enunciated a well-defined policy—on the surface flexible, even opportunist, calculated to cause little embarrassment in the future, but fundamentally Nationalist in implication—the stand he maintained in Imperial matters throughout his career as official spokesman for Canada. It was on this occasion that what is termed throughout this survey "The Laurier Policy" was officially set forth as follows :

He (Tupper) repeated this afternoon the words I spoke in England two years ago, when I said that Canada was a nation perfectly independent, that the lien of the Empire over us did not weigh the weight of one feather, but that we were just as independent to-day, under the suzerainty of England, as we could be if absolutely independent. And I said likewise that if England at any time were engaged in struggle for life and death, the moment the bugle was sounded or the fire was lit on the hills, the Colonies would rush to the aid of the Mother Country. When I said this, I did not speak only my own mind or the mind of my hon. friend, but the mind of every Canadian. There are no two opinions upon that point. But while every Canadian admits that he would be ready to contribute our treasure and our blood, and the resources of Canada at the disposal of this country, for the rescue of England, were she engaged in a life and death struggle, there are many Canadians who are not ready to take part in the secondary

<sup>1</sup> *Debates, loc. cit.* col. 77.

wars of England or to contribute to the defence of the Empire in any part of it. . . . But I am free to say that whilst I cannot admit that Canada should take part in all the wars of Great Britain, neither am I prepared to say that she should not take part in any war at all. I am prepared to look upon each case upon its merits as it arises ; and when I considered the object for which Great Britain was fighting, when I remembered that the primary cause of the war was the refusal by the Government of the Transvaal to the Uitlanders of those privileges of equal rights which we enjoy in this country, when I saw the enthusiasm manifested by the people in all parts of Canada, then and there I made up my mind ; we decided to send a contingent, and it was sent immediately. . . . If the result of our action were to be that in any war of Great Britain we were to be constrained to take a part, as upon this precedent, I would strongly object. What we have done we have done, as I said at Sherbrooke, in the plenitude, in the majesty of our Colonial, legislative independence. *I claim for Canada this, that in future Canada shall be at liberty to act or not act, to interfere or not interfere, to do just as she pleases, and that she shall reserve to herself the right to judge whether or not there is cause for her to act.*<sup>1</sup>

This was as clear an assertion of Dominion Nationalism as he or any other Dominion statesman enunciated at a later date. The style of appeal with which he concluded this speech also furnishes an interesting comparison to those familiar with the characteristic pleas for Imperial unity enunciated by Chamberlain, Milner or others of their school. Sir Wilfrid pleaded not for co-operation from Imperial motives, but for national solidarity in order to lend united moral support, as it were, to an *ally* whose cause was just. He urged :

In this way we will help our own soldiers who want the money. But I do not think the Imperial government is in need of money. I think England can fight her own battles. It is not the money nor the soldiers that England wants at this moment. But she wants the strong moral support of all the Colonies, especially such Colonies as Canada, which has the advantage of those equal rights for which she is fighting in South Africa. The Government are aware that the policy which they have proposed has received and will receive the commendation of the great mass of the people. There are exceptions, I know. There are men who will oppose our policy, and those who will oppose it from very different motives. There are those who believe that we have not done enough. We have just heard the chief exponent of that school. There may be those who feel that we have done too much, or who feel that we should have done nothing at all. On that question we appeal to the broad national conscience of Canada. We appeal to those who take pride in their Imperialism : and ask them to be not

<sup>1</sup> *Debates, loc. cit.* cols. 64-65, 68, 72.

more Imperial than the Imperial government of the Queen. To those who believe in exclusive and restrictive autonomy we ask to rise superior to mere colonial level. We ask all Canadians to sink those minor differences in view of the grandeur of the idea from which we have received our inspiration.<sup>1</sup>

In regard to the fundamental question of Dominion participation in the formulation of Imperial foreign policy, the Government leaders did not, like the more Colonialist Opposition, reprobate any reference to the subject, nor, like the ultra-Nationalists, demand it as pre-requisite to any assistance in defence. Rather they treated the issue as a purely hypothetical problem for the future, and in no sense germane to the present situation. Sir Richard Cartwright summed up the matter thus :

What Canada has done has been an entirely voluntary act on her part : what Canada has done has been a free gift, and therein lay its value and its importance to the Empire. Sir, I know better, perhaps, than a good many of his quondam colleagues, what was the position assumed by the late Sir John A. Macdonald on this very point ; and I say without hesitation that I entirely acquiesce in the position which Sir John A. Macdonald, on more than one occasion, laid down, that if ever Canada was required, as a matter of right, to interfere in the wars of the Empire, Canada must have a direct voice in deciding with what countries the Empire should go to war. . . . But while this is true as a constitutional doctrine, I desire to lay it down with one qualification ; while that is the attitude that all free men should maintain on a question like this, yet, if serious danger menaces the Empire, then it becomes our duty to act and to act promptly. Sir, I contend that just such a case has arisen on the present occasion.<sup>2</sup>

Sir Wilfrid Laurier just as plainly regarded the issue as academic. He said :

I have no hesitation in saying to my honourable friend that if, as a consequence of our action to-day, the doctrine were to be admitted that Canada should take part in all the wars of Great Britain and contribute to the military expenditure of the Empire, I agree with him that we should revise the conditions of things existing between us and Great Britain. If we were to be compelled to take part in all the wars of Great Britain, I have no hesitation in saying that I agree with my honourable friend that, sharing the burden, we should also share the responsibility. Under that condition of things, *which does not exist*, we should have the right to say to Great Britain : *If you want us to help you, call us to your councils ; if you want us to take part in wars,*

<sup>1</sup> *Debates, loc. cit.* cols. 77-78.

<sup>2</sup> *Ibid.* col. 127.



let us share not only the burdens but the responsibilities and duties as well. But there is no occasion to examine this contingency this day.<sup>1</sup>

This is the oft-quoted (and generally misinterpreted) statement seized upon by Mr. Chamberlain; and made the basis of his memorable offer to the Colonies in the Conference of 1902.

A year later, Mr. Bourassa resumed his attack.<sup>2</sup> On two previous occasions<sup>3</sup> he had addressed questions to the Prime Minister, asking whether Canada had been consulted by the British Government in regard to South African affairs, or whether any opinions or suggestions had been offered by the Canadian Government to Britain, and had received negative replies in both cases. Now he moved a resolution alleging that Canada's contribution of men and money to the war entitled her to express an opinion regarding its settlement, and calling upon the British Government to conclude an honourable peace in South Africa in accordance with the principle of national independence and the wishes of the inhabitants.<sup>4</sup> He urged :

The point I want to make is this : We, Canadians, have been taxed, some wilfully (*sic*) and some forcibly, to defray the cost of this expedition ; we have, therefore, the right to pronounce on the outcome and the settlement of the conflict in which we have been made a party, and we should not allow the British Government to presume and decide arbitrarily of our opinion without even consulting us on the matter.<sup>5</sup>

Despite this argument, and the further assertion that her Government must make Canada respected " not only on the battlefield, but also in Her Majesty's councils," Mr. Bourassa devoted most of his somewhat rambling speech to a defence of his own conduct and that of his compatriots, and to a reiteration of his previous strictures on Mr. Chamberlain, British Imperialism, Militarism, and the conduct of the Canadian Government. Thus although in a sense this resolution marked an extraordinary departure from his usual policy of non-participation in Imperial affairs, yet it was a departure which served still further to emphasise his pacifist leanings, his sympathy for the Boers, and his determination to thwart Mr. Chamberlain's designs, rather than any desire to thrust Canada into the counsels of the Empire as a settled policy.

<sup>1</sup> *Debates, loc. cit.* col. 1846.

<sup>2</sup> *Ibid.* session 1901, cols. 1290-1366 (March 12, 1901).

<sup>3</sup> June 4, 1900 ; February 18, 1901.

<sup>4</sup> *Debates*, session 1901, col. 1326.

<sup>5</sup> *Ibid.* col. 1291.

The Opposition, represented by Messrs. Borden and John Charlton, took the ground that the proposed intervention was a distinct impertinence to the Mother Country, especially as coming from Bourassa, whose conduct had not entitled him to express any opinion on the matter. As for Sir Wilfrid Laurier, he stressed the inconsistency of Mr. Bourassa's present willingness to offer advice to the British Government in contrast to his previous refusal to send troops. The resolution was uncalled for and the speech in support of it most unjust to Britain, whose policy throughout the whole affair he proceeded vigorously to defend. On the subject of Canadian intervention in Imperial affairs, he said :

As to the right on our part, asserted in this motion, of making representations to the Imperial authorities on all questions that may affect the British Empire in whole or in part—that is a right which is no longer in question. We asserted it nearly thirty years ago, when, on the 20th of April 1882, we passed a resolution in favour of home rule for Ireland. We asserted it again a few days ago, when we passed a resolution on the coronation declaration. The fact that we sent contingents to South Africa almost two years ago does not in any way affect our right in this respect.<sup>1</sup>

This statement contrasts with the Colonialist attitude of the Opposition. Considered in connection with other pronouncements of Sir Wilfrid on the same question, it denoted a policy of non-interference in the affairs of a sister nation, unless Canadian interests were implicated, together with a recognition that the nations of the Empire had many more matters in common with one another which merited discussion than with other states.

Although these discussions in Canada may have made little direct and immediate contribution to the problem of conducting Imperial foreign policy, yet they had led to the enunciation of certain principles from the Nationalist point of view, the importance of which was soon to be demonstrated when the issue came to the foreground in the 1902 Conference. Meanwhile, however, just as in the recent tremendous struggle, martial fervour and the enthusiastic co-operation of the Dominions had raised the hopes of the Imperialists. The late Sir William Peterson Principal of McGill University, expressed them in his address on the departure of Strathcona's Horse, when he said :

<sup>1</sup> *Debates, loc. cit.* col. 1327.

The great war which, in the view of certain prophets of evil omen, was to strain the bonds of Empire to the breaking point, has served instead as an instrument of Imperial federation more potent than any paper scheme could ever be. In the hour of her trouble, an immediate and spontaneous response went forth from end to end of England's world-wide Empire; and now "Colonial" blood shed in the common defence has sealed for all time the union with the old land of the daughter-nations of Great Britain.<sup>1</sup>

In such circles, and in such an atmosphere, the more significant implication of Sir Wilfrid's pronouncements was ignored. The occasion was both auspicious and urgent. It was at the 1902 session of the Imperial Conference that Mr. Chamberlain launched his second and most serious effort to achieve Imperial unity—political, commercial, naval and military.

At this stage in the evolution of the defence problem Mr. Chamberlain displayed complete willingness to grant a share in the conduct of Imperial foreign affairs to the Dominions as his *quid pro quo*. Sir Wilfrid Laurier had discussed a purely hypothetical case in which this might be the issue. The Colonial Secretary now presented it as a concrete situation, embodying a specific offer. In his opening address to the Conference, he made his famous appeal:

In this connection I would venture to refer to an expression in an eloquent speech of my right honourable friend, the Premier of the Dominion of Canada. . . . "If you want our aid, call us to your councils." Gentlemen, we do want your aid. We do require your assistance in the administration of the vast Empire which is yours as well as ours. The weary Titan staggers under the too vast orb of its fate. We have borne the burden for many years. We think that it is time that our children should assist us to support it, and whenever you make the request to us, be very sure that we shall hasten gladly to call you to our councils. If you are prepared at any time to take any share, any proportionate share, in the burdens of the Empire, we are prepared to meet you with any proposal for giving to you a corresponding voice in the policy of the Empire. . . . No one will believe that the United Kingdom can, for all time, make this inordinate sacrifice. . . . While the Colonies were young and poor, in the first place they did not offer anything like the same temptation to the ambitions of others, and in the second place, they were clearly incapable of providing large sums for their own defence, and therefore it was perfectly right and natural that the Mother Country should undertake the protection of her children. But now that the Colonies are rich and powerful, that every day they are growing by leaps and bounds,

<sup>1</sup> *Canadian Essays and Addresses*, p. 57 (March 12, 1900).

their material prosperity promises to rival that of the United Kingdom itself, and I think it is inconsistent with their position—inconsistent with their dignity as nations—that they should leave the Mother Country to bear the whole, or almost the whole, of the expense.<sup>1</sup>

Shrouded in secrecy as the deliberations of this, perhaps the most crucial of Conference sessions, still are, we know that the Colonial Secretary's ardent hopes were wrecked upon the adamant Nationalism of the Canadian Premier. Participation in Imperial foreign policy was inseparable from the issue of Imperial federation, and the executive council scheme was flatly rejected.<sup>2</sup> So, too, was his project for an Imperial *Zollverein*, for the "National policy" had by this time virtually ceased to be a political issue in Canada.<sup>3</sup> Nor did he fare much better in regard to the defence measures which he and his colleagues urged.

The strategical aspects of naval defence, with special emphasis on the need of unity, were set forth for the Conference in the Admiralty memorandum already cited. The political aspects were dealt with in a speech by Lord Selborne, First Lord of the Admiralty.<sup>4</sup> In addition to emphasis upon the disproportionate burden which lay upon the Mother Country, supported by ample statistics, and the more dubious argument that, if independent, the Dominions, notably Canada, must shape their naval expenditures with an eye to their big neighbours, he stressed two points. First, he deprecated the use of the word "defence"; the gist of naval strategy was to seek out the enemy, attack and destroy him; concentration of force was the central feature of such a course. It is obvious from this argument that the British Government were aware that preoccupation with defence, rather than with unified assault, meant emphasis on local defence needs,

<sup>1</sup> Cd. 1299, pp. 4-5.

<sup>2</sup> *Supra*, ch. ii.

<sup>3</sup> See, for instance, the congratulatory remarks by the President of the Toronto Board of Trade on the fact that the tariff war party had assumed office in Canada—five years after an erstwhile free trade party had assumed office (Toronto Board of Trade, *Annual Report*, 1901, p. 22).

<sup>4</sup> Cd. 1299, pp. 11-20. It is significant that it was on his suggestion that the method of separate consultations and individual arrangements between the Home Government and the various Dominions, to be reported back later to the Conference, rather than that of a general discussion and resolution was adopted.

<sup>5</sup> Comparative statistical tables aiming to show this unjust distribution of naval defence expenditure (at least one-quarter of which, in the Dominions) were a leading feature of the papers laid before this Conference; see Appendices I, II, IV, pp. 42-43, 55-57.

and an enhanced tendency to decentralisation in naval plans.<sup>1</sup> In the second place he dwelt on the inadequate impersonal nature of existing arrangements regarding Dominion aid, revealing a genuinely Imperialist anxiety to reconcile strategic unity with effective participation by the whole Empire in Imperial defence.

On the subject of military defence, the basis of the discussion at this Conference was a notice of motion by Premier Seddon of New Zealand, advocating the establishment within each Dominion of an Imperial reserve force. This was to be used for overseas service in emergency within such limits as were to be defined by the Imperial and Dominion governments at the time such reserve was formed. The cost of maintenance, also, was to be allocated by agreement between the governments concerned. This proposal was endorsed in memoranda from the Colonial Defence Committee and the War Office, to which was appended the concrete outline of such a project.<sup>2</sup> The Secretary for War, Mr. Brodrick, dealt with this subject. With the lessons of the South African War and the prospect of battle with the best-prepared of European foes in mind, he stressed the inadequacy of hasty levies, the need of careful preparation and long training of men with overseas service definitely in view.<sup>3</sup>

The proposal to establish Dominion reserves of troops "earmarked" for overseas service when needed (in contrast to the

<sup>1</sup> This point was also stressed in the Admiralty memorandum on Sea Power. An interesting further emphasis appears in the Admiralty's letters to the Premiers of Cape Colony and Natal, accepting their offers of subsidies at this Conference: "It would be very advantageous to insert in the preamble of the Bill which you propose to lay before the Parliament [of Cape Colony] words recognising the importance of sea power, 'in the control which it gives over the sea communications, and the necessity of a single navy under one authority, by which alone concerted action can be assured.'" This clause was also included in the preamble of the draft naval agreement between the Admiralty and the governments of Australia and New Zealand (*ibid.* pp. 21, 24.)

<sup>2</sup> *Ibid.* pp. 27-28, 44-52. The chief elements in this were: supplementing the military efforts of the Home Government by expeditionary forces from the various Dominions, which would be incorporated into a unified Imperial army when the emergency arose; organization of machinery within each Dominion for the adequate training and equipment of these potential expeditionary forces before they were actually needed; and finally, obtaining from each Dominion, as far as possible, a definite assurance as to the strength of the contingents which they were prepared to place at the disposal of the Imperial government. In order to facilitate this, it was suggested that the home authorities give confidential information to the Dominions as to the general nature of the duties which would be imposed on their contingents.

<sup>3</sup> *Ibid.* pp. 28-32. See also Mr. Haldane's statement to 1907 Conference on lessons of South African War (Cd. 3523, p. 94).

ordinary militia) was a new and Imperialistic departure in defence policy which resulted directly from the illuminating experience of the South African war. The eagerness of the Dominions to supplement the military efforts of the Mother Country as well as the necessity of reliance upon this aid seemed to have been amply demonstrated. The force of Nationalist sentiment, however, had not been realised. The essence of the project was prior commitment to overseas service, and such commitments were the negation of Nationalist principles, as exemplified by Sir Wilfrid Laurier's repeated statements. Therein lies the key to the seeming inconsistency in their attitude during ensuing discussions of military defence—their acceptance of some and rejection of other elements in the Imperialist programme. Whatever implied acceptance of Imperial obligation was repudiated; whatever, on the other hand, merely afforded assistance in the building up of local defence forces (even if uniformity in organisation, training and equipment with other such forces were involved) was apt to be welcomed.

The discussions of these projects with the various Premiers produced results more definite than those at the previous Conference session, but clearly far short of what the British Government had hoped.<sup>1</sup> The Premiers of Cape Colony and Natal agreed to submit bills increasing their annual contributions from £30,000 to £50,000 and from £12,000 to £35,000 respectively. Newfoundland offered £3000 annually for ten years towards a minimum naval reserve of 600 men and an additional £1800 for a drill ship, the Home Government to provide a drill battery at St. John's. The most conspicuous decision was the approval of the draft agreement regarding naval defence between the governments of Australia, New Zealand, and Great Britain, to become effective on the passage of the necessary appropriations by the Dominions and to continue for ten years.<sup>2</sup> Canada gave

<sup>1</sup> Cd. 1299, pp. 17, 20-28, 73-74; Lord Selborne's memorandum and correspondence, draft agreement with governments of Australia and New Zealand, memorandum by Canadian Ministers. Acts ratifying these agreements and providing the necessary appropriations were passed by the Dominion parliaments as follows: (1902) Cape Colony; (1903) Natal, Australia, New Zealand; Newfoundland voted her contribution annually (Cd. 3524, p. 2).

<sup>2</sup> The naval force of the Australian station was now to consist of not less than 1 first-class armored cruiser, 2 second-class cruisers, 4 third-class cruisers, 4 sloops, and a Royal Naval Reserve of 25 officers and 700 men. The base of this force was to be the ports of Australia and New Zealand and its

neither a contribution nor any definite promises of future action. Rather the expenses incurred and the services rendered through local military defence were emphasised. Sir Wilfrid announced, however, that the formation of a local navy in Canadian waters was in contemplation, offered to assume the defences of Halifax and Esquimalt, and hoped that in the near future some system would be devised for rendering available for service the numerous men upon their sea-coasts who were admirably qualified to form a naval reserve. Since the suggested Dominion reserves for overseas service would be virtually under the complete control of the Home Government, the New Zealand project was thought derogatory of local self-government. Canada and Australia rejected it; Cape Colony and Natal seemingly favoured the principle, but urged that the preponderance of their native population debarred them from pledging outside service. Thus, as regards military defence, the Laurier reservation of discretion was in effect asserted by all these governments.

Despite the failure in these respects the Imperialists could draw comfort from the fact that the strategic unity of the Empire in naval defence was still preserved and that the positive decisions of the Conference were on the whole in the direction of their aims. On the other hand, although the Australian Government presented an Imperialist memorandum on defence,<sup>1</sup> so powerful had the sentiment for a local navy grown in that Dominion, that "the utmost adroitness and political strategy" on the part of Sir

sphere of operations the waters of the Australia, China, and East Indies stations, as defined in an attached schedule. No change in this arrangement was to be made without the consent of the Commonwealth and New Zealand Governments, but this agreement was not to mean that this force was to be the only one used in Australasian waters should necessity for reinforcements arise. The force was to be under the Naval Commander-in-Chief of the Australian station. Three of the ships were to be used for drill purposes, and the remainder kept in commission. The drill ships were to be manned, as far as possible, from these Dominions and were to be officered by the Royal Navy supplemented by the Royal Naval Reserve. Eight and two Naval Cadetships respectively were to be assigned to Australia and New Zealand each year. Australia assumed responsibility for five-twelfths and New Zealand for one-twelfth of the total annual cost of these services, up to an annual maximum of £200,000 and £40,000 respectively.

<sup>1</sup> For instance, this extract: "In regard to defence, we must altogether get rid of the idea that we have different interests to those of the rest of the Empire, and we must look at the matter from a broad, common standpoint. If the British nation is at war, so are we; if it gains victories or suffers disasters, so do we; and, therefore, it is of the same vital interest to us as to the rest of the Empire that our supremacy on the ocean shall be maintained. There is only one sea to be supreme over, and we want one fleet to be mistress over that sea" (Cd. 1299, p. 13).

Edmund Barton's Ministry was required to secure ratification of the new agreement.<sup>1</sup> Still more serious were the implications in the Canadian reply to the Home Government's overtures :

The Canadian Ministers regret that they have been unable to assent to the suggestions made by Lord Selborne respecting the Navy and by Mr. St. John Brodrick respecting the Army. The Ministers desire to point out that their objections arise, not so much from the expense involved, as from a belief that the acceptance of the proposals would entail an important departure from the principle of Colonial self-government. Canada values highly the measure of local independence which has been granted it from time to time by the Imperial authorities, and which has been so productive of beneficial results, both as respects the material progress of the country and the strengthening of the ties that bind it to the Mother Land. But while, for these reasons, the Canadian Ministers are obliged to withhold their assent to the propositions of the Admiralty and the War Office, they fully appreciate the duty of the Dominion, as it advances in population and wealth, to make more liberal outlay for those necessary preparations of self-defence which every country has to assume and bear.<sup>2</sup>

### *The Compromise Defence Settlement of 1909*

During the next few years considerable correspondence passed between the British and Australian governments on the subject of the 1902 Agreement.<sup>3</sup> The latter's chief complaint was that the squadron was less localised than under the original (1887) Agreement :

What has been obtained by us in return for an annual appropriation has been simply an increase of its strength, coupled with an extension of its sphere of operation. . . . The particular squadron supposed to be paid for in part by us is not specially Australian any more than it is Anglo-Saxon or representative of the Straits Settlements to which it may be called at any time.<sup>4</sup>

The wide area of the squadron's operations made Australians fear for their own defences, but much more did it offend their national pride and the taxpayer's liking to have the results of his disbursements always visibly before him. The Commonwealth Government accordingly desired more effective modes of expending their money. Subsidising fast mail steamers between Britain and the Antipodes, for instance, should greatly increase

<sup>1</sup> Jebb, *Imperial Conference*, vol. ii. p. 59 ; Royal Colonial Institute *Proceedings*, vol. xxxvi. p. 93.

<sup>2</sup> Cd. 1299, p. 73.

<sup>3</sup> Cd. 3524, pp. 2-3, 69-73 ; Cd. 4325.

<sup>4</sup> Cd. 3524, pp. 69-70 ; Premier Deakin to the Governor-General (August 28, 1905).



the maritime strength of the Empire—the ships would be readily available as transports and their crews could be members of the Royal Naval Reserve. In reply to this the Admiralty expressed satisfaction with the impugned Agreement and a conviction that the new proposal would prove of limited advantage.

On the reassembling of the Imperial Conference in 1907, the specific resolutions dealing with naval defence were the proposals of Australia for a reconsideration of the 1902 Naval Agreement, and of New Zealand for an examination of increased contributions from these Dominions. In this connection an elaborate survey of the defence needs of Australia was prepared by the Committee of Imperial Defence (May 1906). This, and a dissenting report by naval officers of the Commonwealth in regard to it, were laid before the Conference.<sup>1</sup> The first of these documents reiterated the principles of strategy stressed in the 1902 memorandum on sea power, and minimised the importance of extensive local defence preparations. The Australian plan for a defensive squadron was strongly criticised on strategic grounds, as of a utility quite incommensurate with the expense involved, and the scheme initiated by the 1902 Naval Agreement endorsed as much preferable. The second document expressed agreement with the Committee of Imperial Defence as to the probable nature of attack, but considered their recommendations as to what would suffice for Australian defence as entirely inadequate. On the contrary, the policy of an Australian navy was supported.

The gist of Lord Tweedmouth's argument to the Conference was an appeal for confidence on the part of the Dominions in the British Navy, with its long record of achievement, and in the Admiralty which controlled it. Should Dominion aid not be forthcoming, however, he recognised the absolute obligation of the Homeland to defend the whole of British territory. "There is one sea, there is one Empire, and there is one Navy, and I want to claim in the first place your help, and in the second place authority for the Admiralty to manage this great service without restraint."<sup>2</sup> He was as insistent as his predecessors on the main

<sup>1</sup> Cd. 3524, pp. 38–49, 50–68.

<sup>2</sup> Cd. 3523, p. 129; see discussion (*ibid.* pp. 128–151, 469–483, 541–542). As at previous sessions the method followed was that of general statements of policy *in plenum* followed by individual conferences with Dominion delegations. At a third plenary session an attempt was made to pass a general resolution endorsing the policy of Dominion contributions.

point, unity of command. Though he revealed that the developments of the last few years had constrained the Home Government to look with greater favour upon Dominion initiative in local defence, and he was ready to stress the efficacy of bases and coaling stations maintained locally, there was as yet no real acceptance of local navies. When in their replies to his opening remarks the Dominion spokesmen tended to dwell on these local undertakings, the First Lord hastened to qualify his earlier endorsement of them and to counteract a dangerous tendency before the private conferences should be held. He emphasised strongly the Admiralty's need of ships rather than men—there were six times as many applicants for the Navy in Britain as there were places to be filled—the great length of time required for the proper training of naval personnel, and the inevitably greater concentration for defence purposes in the future. After all, the main fleet of first-class ships was crucial from the strategic standpoint. Here, too, the heaviest expense and the greatest need of relief for the home taxpayer were involved.

The replies of the Dominions to Lord Tweedmouth's outline revealed the usual differences in viewpoint, but with one or two exceptions they expressed willingness to co-operate with the Admiralty. The Laurier Government was at this time flirting with the idea of a domestic navy, and adopted an attitude of refusal to discuss projects which in their discretion they might be formulating. Mr. Brodeur, speaking for Canada, reached the nadir of Nationalism at any Conference. He launched into the results of much bookkeeping, which laid him open to invidious comparisons later on. He enlarged upon the contribution to naval defence made by Canada in bearing since 1885 the entire cost of protecting her fisheries against American poachers, especially the defence of the Great Lakes! For this purpose a total of \$3,147,990 had been expended in the twenty-two years. There had been service, too, in the development of wireless telegraph stations and the Hydrographic Survey and they were about to take over the docks at Halifax and Esquimalt. As for direct contributions to the Navy, he added, there was but one mind in Canada on this question, and that was negative.

The increasing divergence in naval policy between Australia and New Zealand, both subscribers to the tripartite agreement of 1902, was noticeable. Mr. Deakin expressed dissatisfaction

with the attempt to fix Australian responsibility on a money basis, reiterated his objections to the agreement from the point of view both of local defence against raids and of national pride in their undertaking, and asked its abrogation. He forecast the substitution of a local force upon a purely Australian basis, claiming that this implied not economy but increased expenditure, and fuller participation in Imperial defence, since British commerce would also profit by the added protection of their fleet and harbours. In their undertaking the closest association and co-operation with the British Navy was promised. Sir Joseph Ward, in contrast, expressed satisfaction with the agreement, although he would raise no objection to giving Australia a free hand in the matter. He specifically endorsed what the First Lord had said of one sea, one Empire and one navy. Even he and Dr. Smartt, however, stressed the need of local protection. New Zealand and Cape Colony promised increased contributions, Newfoundland offered to double hers for the Royal Naval Reserve, and Natal hoped to increase her share when South African union had made this more feasible. As regards these reactions it must be remembered that Canada and Australia alone were advanced and powerful enough as yet to assume any great measure of responsibility, which doubtless motivated the willingness of the others to accept the Home Government's scheme and continue the policy of subsidies. Both Premiers Ward and Bond, for instance, stressed their burden of internal improvements and all the South African Premiers held federation to be a necessary preliminary to serious Imperial defence undertakings on their part.

To Lord Tweedmouth's chagrin, the part of his address to which the Dominion Premiers devoted their chief attention was his brief discussion of what could be done by them locally to assist in naval defence. The maritime Colonies all emphasised what they had done to furnish docking facilities; New Zealand and Cape Colony asked Admiralty advice regarding further construction, and New Zealand, Newfoundland and Natal dilated on the quality of their coal. The suggestion that small craft might be furnished locally was listened to with attention, and the Royal Naval Reserve was enthusiastically discussed. The First Lord's main points were not so much questioned as ignored by the Dominion spokesmen. Now this was clearly not what Imperialists or the British Government wanted. Such

preoccupation with local affairs meant incipient if not developed Nationalism. Accordingly they endeavoured to place the Conference as a whole on record upon the general question of policy—a procedure apparently not attempted in 1902. Dr. Smartt moved a resolution<sup>1</sup> recognising the services rendered by the Navy in defending the Empire and protecting its trade, stressing the paramount importance of maintaining it in the highest state of efficiency, and affirming the duty of the Dominions to contribute to its support—whether by grant of money, establishment of local defences, or otherwise—in such manner as might be determined by their Legislatures in consultation with the Admiralty. Upon Sir Wilfrid's point-blank threat to vote against it if pressed, however, this measure was withdrawn.

The Home Government's position regarding military defence was expounded in three memoranda prepared for the Conference by the General Staff.<sup>2</sup> The first reiterated the principles of 1897 and 1902 with greater emphasis, in view of their confirmation by the Russo-Japanese War; the second embodied certain concrete suggestions for shaping the various military units of the Empire into uniformly organised parts of a symmetrical whole. This involved their close assimilation to the forces of the United Kingdom, which, as relatively preponderant in the Imperial army, were taken as the model; the third paper advocated the same policy through the standardisation of equipment and stores. In the Conference, discussion focussed upon the agency which it was proposed should be established for the integration of military preparations throughout the Empire—the Imperial General Staff.<sup>3</sup> Mr. Haldane outlined the reconstruction of the British military establishment resulting from their South African experience and its development into a project for the military organisation of the whole Empire. Local differences and difficulties, though preventing a rigid model, did not preclude a common purpose. He urged that these defence forces should be organised on a common pattern in accordance with a common conception, and

<sup>1</sup> Cd. 3523, pp. 541–542.

<sup>2</sup> 1907 Conference, Papers Laid: No. IV, "The Strategical Conditions of the Empire from the Military Point of View"; No. V, "Possibility of Assimilating War Organisations Throughout the Empire"; No. VI, "Patterns and Provision of Equipment and Stores for Colonial Forces" (Cd. 3524, pp. 18–21, 22–27, 28–29).

<sup>3</sup> Cd. 3523, pp. 94–128.

that the General Staff which was to formulate this conception should be given a truly Imperial character :

Our great object must be to make the General Staff an Imperial school of military thought, all the members of which are imbued with the same traditions, accustomed to look at strategical problems from the same point of view, and acquainted with the principles and theories generally accepted at headquarters.

In Canada, for instance, some progress had been made with a General Staff, but this had no organic connection with its counterpart at home. Such a connection could be effected by interchange of staff officers. Another very important point was the development of a Reserve of Officers, which, if it could be made Imperial in the sense that the General Staff was to be Imperial, would be a great source of strength and make a profound impression upon foreign governments. In this connection, the advice of the War Office was at their disposal.

The Imperial General Staff project was in one sense a compromise measure and distinctly milder than that for the establishment of Colonial reserves pledged to overseas service. It might be made a most active and effective agency of military integration throughout the Empire. Again it might be given a Nationalist emphasis and utilised merely to afford the Dominion governments the opportunity of securing expert aid in the organisation of distinctly local defence forces. Hence it might be supported by both sides and from opposite motives, which proved actually to be the case when it was voted upon and adopted by the Conference. Mr. Haldane was highly cautious and conciliatory in presenting his scheme<sup>1</sup>; in view of the experience of the previous session he placed his emphasis upon the home defence rather than the expeditionary branch of military preparations. Mr. Deakin, Sir Joseph Ward and Dr. Smartt strongly endorsed its Imperial implications; General Botha, on the other hand, was silent on the

<sup>1</sup> " I will define what I mean. It is not that we wish in the slightest degree even to suggest that you should bow your heads to any direction from home in military matters, but the General Staff Officer would have as his function this. Trained in a great common school recruited, it may be, from the most varying parts of the Empire, but educated in military science according to common principles, he would be at the disposition of the local Government or of the local Commander-in-Chief, whether he were Canadian, British, or Australian, or New Zealander, or South African, for giving advice and furnishing information based upon the highest military study of the time. The General Staff is a class by itself in the Army " (Cd. 3523, pp. 96-97).

project and Sir Frederick Borden's first care was to assure himself that the functions of the agency were to be purely advisory. Furthermore, although he advocated military uniformity and meeting the standards set by the War Office, the Canadian Minister of Militia expressed his preference for local general staffs in the several Dominions, co-operating merely through interchange of officers, and urged during the framing of their resolution that the General Staff be described as "for the service of the Dominions," not "... of the Empire." Though unsuccessful in both respects, the resolution was much toned down through his efforts, and he also secured assurance that such matters as the qualifications of staff officers to be exchanged and their selection should rest with the Dominion government.

The 1907 Conference also passed a resolution authorising the Colonies to refer to the Committee of Imperial Defence for advice on local defence questions, and recommending the summoning of a representative of the Colony concerned to membership on the Committee during the discussion of such questions. Laurier and Borden thought this resolution unnecessary, as the custom of inviting Colonial representatives was already recognised; the British Government, also, was rather lukewarm towards it. Dr. Jameson and Mr. Deakin (author of the resolution) supported it as a step towards the assertion of the right to Colonial representation when their affairs were under discussion.<sup>1</sup>

In 1909 the discussion of Imperial defence reached the acute stage. On the one hand the Russo-Japanese war had eliminated Russia as an immediate danger and elevated Japan to a position of major importance in world politics. Although this increased Australian apprehensions for the Pacific, in view of the Anglo-Japanese Alliance it led the Home Government to concentrate attention still further upon the North Sea. At the same time the German menace grew steadily more alarming. Like a bomb-shell came the First Lord's statement to the British House on March 16 upon the naval crisis, in which he declared: "The difficulty in which the Government find themselves placed at this moment is that we do not know—as we thought we did—the rate

<sup>1</sup> Cd. 3523, pp. 120-121. Dr. Jameson (Premier of Cape Colony) held that had such a resolution earlier existed, more care in consulting with the Cape Government would have been exhibited by the Imperial Defence Commission which investigated the defences of South Africa (*cf.* Silburn, *Colonies and Imperial Defence*, pp. 166-167).

at which German construction is taking place." Mr. Balfour warned that "we are face to face with a situation so new, so dangerous, that it is very difficult for us thoroughly to realise all that it imports."

The first response from the Dominions came from New Zealand. On March 22 that Government cabled an offer to bear the cost of the immediate construction of one Dreadnought and of a second if necessary. The immediate response of Canada was a resolution passed through Parliament without a division on March 29. This averred that Canadian development involved the increasing assumption of responsibility for national defence, repudiated contribution to the British Treasury as a settled policy, endorsed the speedy organisation of a Canadian service for close co-operation with the Imperial Navy, and affirmed Canada's willingness to make any sacrifice for the maintenance of Imperial integrity.<sup>1</sup> Tangible action was more dilatory. On April 15 Mr. Fisher telegraphed that, while all the Dominions should share in the burden of maintaining Imperial naval supremacy, this object would best be attained as regards Australia by the encouragement of her own naval development. On June 4, after Mr. Deakin had succeeded to the Premiership, he sent a further telegram offering an Australian Dreadnought or such addition to their naval strength as might be determined after consultation in London. Under the circumstances the Home Government deemed further discussion of Imperial defence relationships advisable, so on April 30 invited the Defence Ministers of the four Dominions and the Cape Colonies to a subsidiary Conference on defence, as provided for in Resolution I of 1907. The Canadian reply to this invitation is interesting as a characteristic instance of the Laurier Government's determination to play a lone hand in Imperial matters. It read :

Ministers wish to point out that views of Canadian House of Commons on the question of naval defence have already been expressed, and, in pursuance of resolution of that body, two Ministers, as already announced, will shortly go to London to discuss with Admiralty best method of carrying out that resolution. My Ministers have not sufficient information to warrant them in advising as to necessity for such a formal Conference as that suggested, but there

<sup>1</sup> Canada, *House of Commons Debates*, session 1909, col. 3561; Cd. 4948, pp. 5-6; cf. *Canadian Annual Review* (1909), pp. 55-61, for texts proposed and summary of discussion.

would be no objection to postpone visit till July so as to suit convenience of Imperial government.<sup>1</sup>

The Conference held several plenary sessions on nava' and military problems, at which the views of the Home Government were expounded and discussed and agreement as far as practicable was reached upon several principles. In the case of naval defence these were followed as heretofore by individual discussions with the Dominion Delegations but the questions of military defence were entrusted to a sub-conference of experts from Headquarters and the Dominions, which rendered a composite report. As at previous Conferences, the Admiralty and War Offices presented memoranda for the guidance of the members.<sup>2</sup> The salient feature of these documents, as well as the Home Government's general attitude at this stage in the evolution of the defence controversy, was a marked tempering of strategic considerations by a recognition of the political factors involved. Hence through strict moderation of proposals unanimous acceptance was on the whole secured. In brief the principle of *unity* was sacrificed for that of *units*, naval and military, which could be assembled at will into a composite whole, the principle of integration superseded by that of co-operation merely.

As regards military defence, for instance, the War Office memorandum specifically renounced the idea of commitment to overseas service, and based their case for consultation at the Conference on the assumption that the willingness of the Dominions to render aid in the event of crisis would incline them to organise their local forces on such lines as would fit them for concerted action if desired.<sup>3</sup> In the main Conference general assent was secured merely to the proposition "that each part of the Empire is willing to make its preparations on such lines as will enable it, should it so desire, to take its share in the general defence of the Empire." This apparently meant formal recognition of the

<sup>1</sup> Cd. 4918, p. 8.

<sup>2</sup> *Ibid.* pp. 20-22, 29-41.

<sup>3</sup> "This paper is based on the clear understanding that, while the Mother Country confidently hopes to obtain the support and assistance of the overseas Dominions in the event of a war in defence of the Empire, she does not ask for any specific undertaking from any one of the Dominions in regard to the strength and composition of the military force which that Dominion may decide to place at the disposal of the Empire in time of need. . . . It is hoped, however, in view of the great importance of organising on identical principles and with a common purpose, that this fact will not prevent full consideration being given at the Conference to the objects proposed" (*ibid.* pp. 32-33).



Laurier policy of optional participation in Imperial quarrels. Accordingly progress was made with the organisation of the Imperial General Staff, and the principle of standardisation of military units, transport arrangements and equipment was accepted. But Nationalists as well as Imperialists could endorse these measures. Full discretion was reserved to the Dominion governments ; the degree to which the General Staff was Imperial depended entirely upon their co-operation, while conformity to the British system meant no sacrifice of control and placed at their disposal expert aid not otherwise available. The discussion of military defence at the 1909 Conference achieved, as Mr. Asquith put it :

A plan for so organising the forces of the Crown wherever they are that, while preserving the complete autonomy of each Dominion, should the Dominions desire to assist in the defence of the Empire in a real emergency, their forces could be rapidly combined into one homogeneous Imperial army.<sup>1</sup>

While the conclusions regarding military defence were merely the culmination of a steady process practically decided in 1907, the attitude of the Home Government on the issue of naval defence evidenced a virtual revolution in their policies concerning this problem. As Mr. Jebb notes : " For the first time the British Admiralty prepared and recommended an autonomist scheme of naval co-operation, instead of demanding naval subsidies, or merely ancillary craft, from the Dominions." <sup>2</sup> This, the Home Government's outstanding concession to the political as opposed to the strategic factors in the situation, was embodied in the " fleet unit " plan submitted to the 1909 Defence Conference. Their memorandum on naval defence stated their position as follows :

If the problem of Imperial naval defence were considered merely as a problem of naval strategy it would be found that the greatest

<sup>1</sup> Statement in the House : August 26, 1909 (Cd. 4948, p. 19). The Australian representatives prepared a comprehensive plan for the organisation of their branch of the Imperial General Staff. While accepting the principles enunciated in the memorandum on this agency, the Canadian representatives considered that these could best be applied by developing the Royal Military College at Kingston and strengthening its staff by the addition of Imperial officers. The South African representatives reserved assent to the conclusions of the Conference as they felt that they should not appear to bind the Union government in anticipation of its establishment (*ibid.* pp. 42-44).

<sup>2</sup> *United Empire*, vol. xi. p. 238.

output of strength for a given expenditure is obtained by the maintenance of a single navy with the concomitant unity of training and unity of command. In furtherance, then, of the simple strategical ideal the maximum of power would be gained if all parts of the Empire contributed, according to their needs and resources, to the maintenance of the British Navy. It has, however, long been recognised that in defining the conditions under which the naval forces of the Empire should be developed, other considerations than those of strategy alone must be taken into account. The various circumstances of the over-sea Dominions have to be borne in mind. . . . A simple contribution of money or *matériel* may be to one Dominion the most acceptable form in which to assist in Imperial defence. Another, while ready to provide local naval forces, and to place them at the disposal of the Crown in the event of war, may wish to lay the foundations upon which a future navy of its own could be raised. A third may think that the best manner in which it can assist in promoting the interests of the Empire is in undertaking certain local services not directly of a naval character, but which may relieve the Imperial government from expenses which would otherwise fall on the British Exchequer. . . . In the opinion of the Admiralty, a Dominion government desirous of creating a navy should aim at forming a distinct fleet unit ; and the smallest unit is one which, while manageable in time of peace, is capable of being used in its component parts in time of war. . . . Such a fleet unit would be capable of action not only in the defence of coasts, but also of the trade routes, and would be sufficiently powerful to deal with small hostile squadrons should such ever attempt to act in its waters.<sup>1</sup>

Such a fleet unit would consist of one battle cruiser (Dreadnought), three light cruisers, six destroyers, three submarines, and the necessary supply ships. Ancillary propositions were the maintenance of a common standard in shipbuilding, armament, stores, training and discipline, and that in time of war the local naval forces should come under the general direction of the Admiralty. The strategical surrender involved in the acceptance of such decentralisation in the peace-time operation of the potential battle fleet is indeed a tribute to the political force of the Nationalist pretension that no serious menace was to be apprehended.

After the general discussion (August 3, 5 and 6) of the Admiralty proposals, separate conferences were held with the representatives of Canada, Australia and New Zealand, but not with those of the South African Colonies, who did not wish to involve the new Union Government in advance of its establish-

<sup>1</sup> Cd. 4948, pp 21-22.

ment. Meanwhile the obligations assumed by Cape Colony and Natal would be recognised; Newfoundland also agreed to continue existing arrangements. The principal reorganisation was in the Far Eastern squadron; there was to be a Pacific fleet, consisting of three "fleet units" as above described, assigned to the East Indies, China and Australia stations respectively. At this Conference Australia and New Zealand definitely parted company. Sir Joseph Ward reiterated his preference for the existing policy of contribution, which would be maintained:

I favour one great Imperial navy with all the Overseas Dominions contributing, either in men or money, with naval stations at the self-governing Dominions supplied with ships by and under the control of the Admiralty. . . . New Zealand will supply a "Dreadnought" for the British Navy as already offered; the ship to be under the control of and stationed wherever the Admiralty considers advisable.<sup>1</sup>

He accepted the proposal that this vessel should be the flagship of the new China-Pacific Unit, but suggested that part of this fleet—two light cruisers, three destroyers and the submarines—should in peace time be detached and stationed in New Zealand waters and that the flagship should make periodic visits, and that these ships should be manned as far as possible by New Zealanders.<sup>2</sup> Furthermore he secured assurance that in view of the supersession of the British-Australian squadron under the new arrangement, the naval agreement of 1902 with Australia would not be renewed.

The Australian Government undertook to provide and maintain the fleet unit to be stationed in their waters. Until the Commonwealth was able to assume the whole cost, the Home Government was to contribute an annual subsidy of £250,000, but until the existing squadron was relieved by the new fleet unit the Commonwealth subsidy of £200,000 should continue. On completion the dockyards at Sydney should be transferred to and maintained by the Australian Government. The vessels should be manned as far as possible by Australians; provision was also made for training and interchanges with the Royal Navy. As regards control of the fleet:

<sup>1</sup> Cd. 4948, p. 27; letter Ward to McKenna (August 11, 1909).

<sup>2</sup> New Zealand's annual contribution of £100,000 was also continued, so much as was necessary to be expended in meeting the difference between local and British rates of pay for their seamen, on the deferred-pay system the balance to be at the disposal of the Admiralty.

In peace time and while on the Australian station this fleet unit would be under the exclusive control of the Commonwealth Government as regards their movements and general administration, but officers and men should be governed by regulations similar to the King's Regulations, and be under naval discipline, and when with vessels of the Royal Navy, the senior officer should take command of the whole. Further, when placed by the Commonwealth Government at the disposal of the Admiralty in war time, the vessels should be under the control of the Naval Commander-in-Chief.<sup>1</sup>

Discussion with the Canadian representatives was also conducted (in accordance with the Parliamentary resolution of March 29) on the basis of a distinct naval force.<sup>2</sup> However Sir Wilfrid Laurier specifically rejected one of the Home Government's main objectives, that this force should always be at the disposal of the Admiralty in case of war ; furthermore it was held that their double sea-board rendered a fleet unit of the Australian type unsuited to their needs. The Canadian Government suggested an annual expenditure of from £400,000-£600,000, including the maintenance of the Halifax and Esquimalt bases and the wireless service, but exclusive of the fisheries and hydrographic services—which, since they comprised in the view of many the only naval defence Canada required, it seemed must invariably receive mention—and the Admiralty accordingly prepared plans based on the larger and smaller estimates respectively. The former called for one " Boadicea " cruiser and six " River " destroyers on the Atlantic side, and four " Bristol " cruisers divided between Atlantic and Pacific ; the latter proposed two " Bristols " on the Pacific, and one " Bristol " and four destroyers on the Atlantic coast. Meanwhile a start might be made with the loan by the Admiralty for training purposes of two cruisers of the " Apollo " class, to be maintained by Canada, and certain officers.

The several governments proceeded to take action in accordance with their decisions at the Conference. The Home Parliament passed amendments to the Colonial Naval Defence Act of 1885 so as to enable the Dominions to raise volunteers to

<sup>1</sup> Cd. 4948, pp. 25-26. In answer to an enquiry from Canada (February 5, 1910) the Australian authorities stated : " With reference to your telegram, transfer control to the Admiralty is not to be automatic but subject to approval of Commonwealth Government on declaration of war " (*Canadian Annual Review* (1910), p. 105).

<sup>2</sup> Cd. 4948, pp. 23-24.

form part of the Royal Fleet Reserve, and authorising the transfer of naval establishments such as Esquimalt. The New Zealand legislature ratified the offer of a battle cruiser and unanimously approved a loan of £2,000,000 and an annual expenditure of £250,000 for naval purposes. Early in 1910 Lord Kitchener inspected and rendered a report upon the military defences of Australia, leading to the establishment of their system of compulsory cadet training. In September Admiral Henderson visited the Commonwealth to advise upon the whole subject of naval defence. A measure in accordance with his recommendations and those of the Government at the Conference was passed and in the course of the year two warships of the new Australian fleet were launched from the Clyde.

In Canada, meanwhile, it was clear that the unanimity which had attended the passage of the March 1909 resolution did not extend to what should or should not be done to render that pronouncement effective, and the naval controversy was already boiling. On January 12, 1910, Sir Wilfrid introduced the Government's naval service measure, based upon the more comprehensive of the plans suggested by the Admiralty, that is, for a fleet of eleven ships, divided between Atlantic and Pacific seaboard, at a cost of somewhat more than \$11,000,000, British estimates. Despite the probable addition of one third to this figure it would entail, the Premier asserted their intention of having the fleet constructed in Canada if possible. The enactment of this measure into law on May 4 closed the first phase of Canadian naval preparations. A start had been made in the acquisition from the Admiralty of two cruisers for training purposes—the "Rainbow" and the "Niobe" of glorious memory—when the change of government occurred.

Prior to this event in Canada, the 1911 session of the Imperial Conference was held, with Sir Wilfrid Laurier still spokesman for the Dominion. On this occasion the visiting Premiers also attended the meetings of the Committee of Imperial Defence, to which discussion of the defence problems before them was transferred.<sup>1</sup> The most important result of these conferences was the new Naval Agreement of 1911 between the British, Canadian and Commonwealth governments, amplifying the

<sup>1</sup> See references to this procedure in Cd. 5745, pp. 23, 33, 53, 95, 212, 248, 279. Cf. R. Jebb in *United Empire*, vol. xi. at p. 166.

arrangements made at the Defence Conference of 1909.<sup>1</sup> This contemplated, in addition to the Australian station in the Pacific, the assumption by Canada of both a Pacific and an Atlantic station, comprising the waters adjoining her two coasts. Detailed provisions were also formulated for the training and discipline of the Dominion fleets and their relations with other branches of the Imperial navy. Of these the following may be cited :

1. The naval services and forces of the Dominions of Canada and Australia will be exclusively under the control of their respective governments.

2. The training and discipline of the naval forces of the Dominions will be generally uniform with the training and discipline of the fleet of the United Kingdom, and, by arrangement, officers and men of the said forces will be interchangeable with those under the control of the British Admiralty. . . .

16. In time of war, when the naval service of a Dominion, or any part thereof, has been put at the disposal of the Imperial government by the Dominion authorities, the ships will form an integral part of the British fleet, and will remain under the control of the British Admiralty during the continuance of the war.

As regards military defence, it was decided that in view of the general resolution of the 1909 Conference upon this subject :

The arrangements required to facilitate the co-operation of the military forces of the Empire fall within the scope of the duties of the local sections of the Imperial General Staff working under the orders of their respective governments and in communication with the central section at the War Office, on which the Dominions will be represented.<sup>2</sup>

Progress was reported in the organisation of these local sections of the Imperial General Staff. That of Australia had been formed in August 1909 and that of New Zealand in December 1910. The Canadian section was in process of establishment, the new Union of South Africa, however, was not as yet in a position to gauge its requirements.<sup>3</sup>

### *The Canadian Naval Controversy*

Of the domestic discussions incidental to these developments, the naval controversy in Canada would seem to be, in view of the

<sup>1</sup> See text in Cd. 5746—2 ; also reprinted in Keith, *Selected Speeches and Documents*, vol. ii. pp. 304-307.

<sup>2</sup> Cd. 5746—2, p. 4.

<sup>3</sup> See also Cd. 6091, pp. 14-19 (Report of Dominions Department, 1911-1912).

situation of that Dominion, the most significant. Furthermore, it evoked, perhaps, more developed arguments and the conflicting points of view thus far were in that Dominion presented in stronger relief. At the same time it affords a notable illustration of one of our earlier generalisations—that the Britannic Question did not present issues squarely joined, that participants in the discussion can hardly be said to have met on common ground. While Imperialists dwelt on the Empire and its dangers, Nationalists discussed Canada and its welfare as if it were a separate entity. Neither would accept as of main concern what the other chose to emphasise. Fortunately it is unnecessary to follow through the seemingly endless flow of words evoked by this Bill, nor, since the pronouncements of parliamentary leaders were both the inspiration and reflection of similar utterances throughout the country, is it necessary to review more than the outstanding arguments invoked in the House.<sup>1</sup> The immediate issue was defence, and the bulk of the discussion, particularly on the part of private members, was confined to the specific proposal. Yet from this plethora of argument there emerged certain very significant considerations relating to the general future of Imperial relations.<sup>2</sup> Much of what had been nebulous at the time of the South African War had solidified into definite policy. A fundamental difference of outlook, or rather emphasis, upon Imperial problems was now visible between the two major groups of Canadian opinion. The chief interest lies in the pronounced evolution observable in the Conservative standpoint since the South African debates.

As for the Liberals, Sir Wilfrid was still at the wheel. Their policy was essentially an amplification, in view of intervening developments, of that proclaimed in 1900 and at the 1902 Conference. The Premier boasted :

For eight years this policy of the present Government has been before the country. From this policy the present Government has

<sup>1</sup> The reader is referred to the admirable detailed history of this controversy, with résumés of opinion on the various sides both in and outside Parliament, in the *Canadian Annual Review*, 1909-13.

<sup>2</sup> "It is questionable whether it (the Imperial parliament) has ever attempted, on any occasion since the debates which preceded the American War of Independence, to enter so thoroughly and earnestly as the Canadian parliament is now doing into the political meaning of the bond between the Mother Country and its daughter communities" (*London Times*, May 5, 1913; quoted in Peterson, *Canadian Essays and Addresses*, p. 149).

never deviated. This policy we affirmed again at the Imperial Conference of 1907. We affirmed it again last year in this House when the question came up for concrete and immediate action. This policy is embodied in the Bill now before this House and by this policy the present Government stands or falls.<sup>1</sup>

As has already been noted, Laurier and his followers prided themselves on their devotion to the traditional principles of English Liberalism. They thought in terms of peace and domestic progress. They did not contemplate the Empire as an indivisible unit, menaced by a ravening neighbour. Rather they accepted their veteran leader's view that :

To-day the British Empire is composed of a galaxy of young nations proud of their allegiance to the British Crown and proud also of their own local independence. And though they may have a common aim, each has reserved to itself the duty and the right to develop its own resources and to attain its aim according to its own view, and by its own methods as may be best suited to the peculiar circumstances of each.<sup>2</sup>

Proceeding on the assumption of continued general peace, they professed to see in the immediate defence issue merely a made-to-order war scare, and presumed to ignore it altogether. True, they coupled this gesture of dismissal with much oratory regarding the part Canada would play should a real emergency arise, and gratification at the moral support which the realisation of such a fact must give to the Mother Country.<sup>3</sup> The Premier's reprobation of militarism, and hence his emphasis on the contrast between the circumstances of Canada and those of Europe, even Britain, were still the salient features of his argument :

The great mistake which is made by those Imperialists of the school of my honourable friend is to confound the condition which exists in Great Britain with that which prevails in the Colonies. England belongs to the circle of nations which is known as the European concert ; it is one of the four or five nations of Europe that are always watching one another. There are no public works to carry on there and she can devote herself and her resources to armaments. But the Colonies

<sup>1</sup> Canada, *House of Commons Debates*, session 1909-10, col. 2953 (February 3, 1910).

<sup>2</sup> *Ibid.* session 1909, cols. 3505-3506 (March 29, 1909).

<sup>3</sup> E.g. Laurier (*ibid.* col. 3505, session 1909-10, col. 2972) ; Michael Clark (*ibid.* col. 3278). The Liberal amendment to Foster's resolution of March 29, 1909, even included a clause (subsequently withdrawn) expressing gratification at the relief to British taxpayers consequent on the assumption by Canada of responsibility for her own military establishment.



are not in that condition. Our chief consideration is public works, to develop the resources of our country.<sup>1</sup>

Accordingly the Government supporters talked self-government, not the Empire or defence and foreign affairs. The real menace, in their view, was to the principles of local autonomy and came from the opposite side of the House. Though it seemed ostrich-like to the Conservatives, such an attitude was not difficult for the many men of pacifist, or at least pacific temperament who naturally found themselves most at home in the Liberal camp. So while the Opposition called for defence aid, Sir Wilfrid expounded constitutional history to "the short-sighted men who believe that their policy of centralisation would unite the British Empire":

'Their policy is centralisation, our policy is autonomy. And let the tale of the past tell the tale of the future. In all the phenomena of history, I do not know any that carries with it a greater lesson than the existence of the British Empire. . . . What is the principle, what is the inspiration, what is the one thing that quelled rebellion in Canada, that brought Canada to the position that she occupies to-day? What is the principle, the inspiration, which has made Australia what it is, which has made New Zealand what it is, and which to-day in South Africa, torn by war only ten years ago, is building up a nation under the British flag? What is it but the principle of autonomy, the principle of self-government? . . . My honourable friend, the Leader of the Opposition, the other day, in his speech on the first reading of this Bill, said that the British Empire is of recent date; the date was the day when the principle was adopted of self-government for the Colonies.'<sup>2</sup>

In accordance with his principles, therefore, the Premier asserted once more with even greater emphasis the policy he had defined for Canada during the South African debates:

If England is at war we are at war and liable to attack. I do not say that we shall always be attacked, neither do I say that we would take part in all the wars of England. That is a matter that must be guided by circumstances, upon which the Canadian Parliament will have to pronounce, and will have to decide in its own best judgment.<sup>3</sup>

At the same time Sir Wilfrid took issue with the more extreme wing of Quebec opinion. They were ever ready to plead a demurrer when he argued:

<sup>1</sup> Canada, *House of Commons Debates*, session 1909-10, col. 2967 (February 3, 1910).

<sup>2</sup> *Ibid.* col. 2960.

<sup>3</sup> *Ibid.* col. 2965.

We are Canadians, but we are something else also, we are British subjects. We have to consider this subject, not only from the standpoint of our status as Canadians, but we have to approach it from the standpoint of our status as British subjects. It is conceivable that the interests of Canada and the interests of the Mother Country may vary upon some questions. That has happened in the past and it may happen again. When that happened in the past it was the part of statesmanship to reconcile them again on broad lines. But I am happy to say that, in so far as I can see, at all events—and in this matter I express my own opinion—in the present instance there is no clashing of interests between Canada and the Mother Country. Whatever is done for Canada will benefit the Mother Country; whatever is done for the Mother Country will benefit Canada. Let me say also to my honourable friend that if we have duties to perform as Canadians, we have also duties to perform as British subjects. If we have rights, privileges and responsibilities as Canadians, we also have rights, privileges and responsibilities as British subjects. But my honourable friend, in discussing this question, ignored altogether that side of it, he discussed it from the Canadian point of view alone. He should have gone farther and discussed it from the point of view of our status as British subjects.<sup>1</sup>

This recognition of Canada's obligations to the Empire, from which they had no desire whatever to secede, furnished the second principal motive for the Liberal naval policy, and inspired the provision for co-operation with the Admiralty in case of need.

The naval controversy did not add much to what has been said already regarding the ultra-Nationalist point of view. The activities of Messrs. Bourassa, Ewart, and Monk had served merely to consolidate this minority school of thought and clarify their principles. Mr. Monk summarised their attitude towards the Laurier naval policy in a quotation from one of their organs :

The people, who will be prepared for a Canadian navy when it will be necessary, do not wish to have a navy which is Canadian in time of peace and Imperial in time of war; that is to say, a navy which will be Canadian when it has to be paid for, in order to be Imperial when it is required for use.<sup>2</sup>

Their main quarrel with the proposal was that it viewed Canadian defence preparations merely as part of a greater whole, not purely and simply for Canadian purposes. The 1909 Defence

<sup>1</sup> Canada, *House of Commons Debates*, session 1909-10, cols. 49-50.

<sup>2</sup> Quoted from the *Arthabaska Gazette* in the House: December 1, 1910 (*ibid.* session 1910-11, col. 612). For a thorough discussion of the naval issue from the non-participationist point of view, see J. S. Ewart, *Kingdom Papers*, Nos. 6, 9, 11, 15.

Conference, he maintained, "was called to provide for a plan of defence, not for each individual dependency, but for the British Empire in general." The plan there agreed upon by the Canadian delegates on written instructions from the Premier "is not a plan for the defence of Canada, it is a plan—we must be frank about it—for our co-operation with the British fleet in the defence of the Empire and the maintenance of its supremacy at sea."<sup>1</sup> He maintained that clause 23 in the Naval Bill, which allowed the Government to place the Canadian force at the disposal of the Home authorities in case of emergency, inevitably committed Canada to the support of Imperial policies, and rendered her liable for all the consequences, although she had no voice whatever in Imperial decisions. Such thralldom of Canadians to the will of the British electorate was intolerable to those accustomed to Anglo-Saxon principles of self-government.<sup>2</sup> At the same time this school was emphatic—even more emphatic than the Liberals—in rejecting any seeming overtures towards consultation on foreign questions. The jealous suspicion with which they called their less Nationalistic compatriot to account for any evidence of leanings in this direction affords an excellent illustration of the difficulties under which Sir Wilfrid laboured in attempting to steer a course between two absolutely incompatible bodies of Canadian opinion.

The Liberals replied to these intransigents first, that Canada had now reached a stage of development which demanded the creation of her own navy as the visible badge of nationhood. Smaller countries than she had maintained their own establishments. Thus one of them asserted :

We boast, and rightly so, of being in full possession of the privileges of democracy ; we occupy in the business world a most enviable position ; we proclaim through the mouths of our public men, here and in foreign lands, that Canada is large enough, rich enough and proud enough to cease remaining a colony and to become actually a nation. Notwithstanding which we could leave to others the task of protecting our frontiers, our territory, that growing trade and the routes followed by it, those coasts where our fishermen and merchants have shelters and safe harbours. . . . No, our statesmen have been urged solely by a sense of national pride and self-respect, when, after

<sup>1</sup> Canada, *House of Commons Debates*, session 1910-11, col. 124 (November 22, 1910).

<sup>2</sup> *Ibid.* col. 134.

listening to the various views voiced from divers quarters, they set aside the proposals of those who were favourable to a direct contribution towards the support of the Imperial navy, as well as the senseless gropings of others, and come out with a distinctly Canadian policy.<sup>1</sup>

Or as the Premier himself put it :

It is true we never had a naval force before. I remember a time when we had no railways, when we had no public school system. But at the present time we have railways, we have school systems. And if now we have to organise a naval force it is because we are growing as a nation ; it is the penalty of being a nation that we have to bear.<sup>2</sup>

Furthermore, none of the fancied alternatives visualised by the extremists were worth consideration. Independence would involve a naval establishment comparable to that of the United States. As for annexation also, Hon. Rodolphe Lemieux probably justified his claim to speak for French Canada when he said :

Sir, what benefit could French Canadians expect from annexation with the United States, or from isolation in this confederation of ours ? What would become of our language, our laws, our schools ? As I said a moment ago, remember Louisiana ! I repeat it again, my honourable friend does not represent the national aspirations of the province of Quebec in this matter. He does not even represent the French Conservative traditions.<sup>3</sup>

He reminded them, too, that the Monroe Doctrine offered Canada an entirely illusory protection. It furnished no guarantee that the United States would aid European sovereigns in the defence of their Colonial possessions on this continent.<sup>4</sup> No, co-operation with the rest of the Empire, and a readiness to earn the support which that implied, would best assure their future. Similarly Mr. Lapointe argued :

To those of my fellow-citizens who sincerely believe that the Dominion government should not have the power to help under any circumstances in defending the Empire, I say that they misconceive the actual status of the country. They forget what are the distinctive features of our existence as a nation. Our dearest interests, our religious and political rights are closely linked with the maintenance

<sup>1</sup> A. Ecrcment, in moving the address in reply : November 15, 1909 (Canada, *House of Commons Debates*, session 1909-1910, cols. 32-33) ; private (particularly French) members were more inclined to emphasise this strictly national aspect than was Laurier himself.

<sup>2</sup> *Ibid.* col. 49.

<sup>3</sup> *Ibid.* col. 3048.

<sup>4</sup> *Ibid.* cols. 3032-3033.

of the Empire and the upholding of its supremacy. Why should we refuse to lend a hand in upholding that power, especially when the means suggested are in perfect harmony with the dignity and autonomy of Canada? We have no right to allow ourselves to be turned away from the fulfilment of our duty and the assuming of our responsibility by fantastical suppositions or the ghosts of imaginary dangers.<sup>1</sup>

During the South African debates, it will be recalled, the Conservative leaders were essentially Colonialist in outlook. They taunted the Government with dilatoriness in rendering aid to the Mother Country, and denounced all talk of demanding a share in Imperial foreign policy under the plea of "no taxation without representation" as rank disloyalty. Now Colonialism had disappeared from their attitude. Now they were agreed that a system of defence contributions to the Home Government as a settled policy was as derogatory to Canada's present status as was continuing to allow Britain to bear this burden alone. They agreed with the Liberals that the establishment of a Canadian naval force was the only permanent solution of the problem. This must be remembered in view of apparent post-war developments in Mr. Borden's thinking. In this way they were able to reconcile a repudiation of Colonialism with their emergency programme. For this reason they had voted with the Government in support of the resolution of March 29.

The case against contributions and for a Canadian navy was ably stated by Mr. Foster in moving his resolution.<sup>2</sup> Although a free grant by the Canadian Parliament could hardly be said to violate local autonomy, or smack of tribute, yet a system of contributions meant hiring someone else to perform one's duty; it struck no roots in Canada, it disjoined commerce and the protection of commerce, and ignored Canadian necessities and aspirations. Although Canada had neither plant nor men, must rely on Britain entirely in inaugurating her own establishment, and begin at the very beginning, nevertheless this was the better policy in the long run. Mr. Borden strongly supported him in this view:

As far as I am concerned, while the system of annual contributions might be best, and no doubt would be best from the purely strategical standpoint, I firmly believe that no such system could be adopted, but that eventually and permanently the basis upon which Canada

<sup>1</sup> Canada, *House of Commons Debates*, session 1910-11, col. 22.

<sup>2</sup> *Ibid.* session 1909, cols. 3483-3564.

must contribute to the defence of the Empire will be by employing our own material, our own men, our own resources and the skill of our own people.<sup>1</sup>

He, too, endorsed a distinctly Canadian naval force :

In so far as my right honourable friend the Prime Minister to-day outlined the lines of naval defence of this country, I am entirely at one with him. I am entirely of opinion, in the first place, that the proper line upon which we should proceed in that regard is the line of having a Canadian naval force of our own. I entirely believe in that. I am at one with him in this respect also that I think that an expenditure of money designed for that purpose ought in the main at least to be under the control of our own Parliament, and that by making an appropriation of that kind and attending to the defence of our own coasts, by co-operation and co-ordination with the Imperial naval forces, we could be rendering a real service in the defence of the Empire and we would be doing our duty not only to Canada but to the Empire as a whole.<sup>2</sup>

Beyond this point, however, Liberals and Conservatives parted company. When the Naval Bill came before the House, differences on fundamental points became apparent.

While the Liberals thought in terms of peace, pooh-poohed the idea of an emergency, and apostrophised self-government, the Conservatives chose to emphasise entirely different considerations. They agreed that Canada was a nation of the Empire, but whereas the Liberals stressed "Nation" the Conservatives never lost sight of "Empire," and regarded Canadian development merely as qualification for the assumption of added

<sup>1</sup> Canada, *House of Commons Debates*, session 1909-10, col. 2982 (February 3, 1910). The clearest argumentation on this point came from Ralph Smith, a "Lib.-Lab.": "Let us get back to the foundations of this proposition. If we are not to have the establishment of a Canadian navy, if we are to remain in the Empire, if we are to make the contribution this year because we have not the necessary ships within the country to help the British Empire and if, as hon. gentlemen say, we are not to have a Canadian navy, is it not logical to say that for all time to come, every time a little cry is raised, every time a possible contingency threatens in Great Britain, hon. members opposite will stand in favour of making direct contributions in cash from the country to the Empire. They cannot escape the necessary conclusion. That, Sir, in my opinion, is the very weakness of their position. If the hon. gentleman had said: We will build a Canadian navy and we will make a contribution, that would have been a different proposition. We will not build a navy but we will send a contribution. Sir, if you never begin to build a navy you will never have one, and if you never have one, and remain within the Empire, then you will for all time have to resort to a direct subscription of money by the people of this country" (*ibid.* col. 3996; February 22, 1910).

<sup>2</sup> *Ibid.* session 1909, cols. 3517-3518 (March 29, 1909).

Imperial responsibilities. Mr. Foster's handling of this theme was in striking contrast to the Premier's ; he argued :

Sir, into this world of trouble, of uncertainty, amongst this world of nations, Canada has pushed forward to her place. She has taken a position which is important now, which will become more and more important as the years advance. Her ship of state is launched on the world's waters, it is open to every storm, it is exposed to every danger. She cannot escape the common burden, she cannot neglect the common duty, she cannot ignore the common responsibility. I do not believe that she wishes to. Having entered the game, I believe that it is the disposition of the Canadian people to play it valiantly, to play it honourably, and to play it successfully.<sup>1</sup>

They accepted Canada's local autonomy as a matter of course. There was no difference of opinion between the parties on that point and no one was questioning it.<sup>2</sup> A far more pertinent consideration was the safety of the Empire, and the fact that Canada's destiny was bound up therein. They had no patience with the complacent view of the Liberals regarding the international situation and Canada's supposed lack of concern in it. In contrast, they professed to think in terms of an imminent general conflagration. Under such circumstances, to be a part of the Empire carried an entirely different implication from that which the Government supporters deduced ; of what avail, then, would be the vaunted reservation of discretion as to participation ?<sup>3</sup>

<sup>1</sup> Canada, *House of Commons Debates*, session 1909, col. 3486 (March 29, 1909).

<sup>2</sup> E.g. R. L. Borden, in criticising the third paragraph of Laurier's amendment to Foster's resolution said : " My right honourable friend will not misunderstand me ; I am as strong as he is in the assertion of the rights of self-government which Canada enjoys. I believe that we enjoy our privileges not by grace but of right, and we enjoy them in the carrying out of the wisest statesmanship on the part of the Mother Country. But it does not seem to me that there is any need of asserting now a mere negative proposition as is embodied in this paragraph " (*ibid.* cols. 3519-3520).

<sup>3</sup> " Mr. R. L. BORDEN : Unless this country is independent you can never avoid taking part in a war. These ships are not on land. They are on the sea and the sea is one. It surrounds the world and all this continent. The ships of the enemy are on the sea and our ships are on the sea. I could understand how land forces could be kept in Canada when war is not prevailing in Canada. I can understand how they might not take part in a war, but how a navy can be kept practically neutral, in time of war with a naval power, utterly passes my comprehension.

" Mr. SPOULE : The Prime Minister said when England is at war Canada is at war.

" Sir WILFRID LAURIER : Undoubtedly, when England is at war, Canada is at war, but it does not follow that Canada is bound to take part in all the wars in which England is engaged. These wars may be very far from Canada. These wars may be of such a character that Canada might have no interest in them. They might be of serious moment or they might be insignificant.

How could Canada, by a mere declaration of policy, avoid mixing in the armaments of the Empire, or remain aloof from the consequences of European militarism? Only by rank ingratitude and virtual secession. "No," said Mr. Borden, "The unanimous voice of the people of Canada demands that we shall be in the Empire and of the Empire, and being in the Empire and of the Empire, we must take our fair share of the burden of the naval defence of that Empire, and particularly of our sea-coasts."<sup>1</sup>

From such a standpoint, the Conservatives had no patience whatever with the non-participationists. They ignored most of the extremist arguments as too seditious to need reply—the Liberals at least understood if they did not sympathise with them. As for Canadian reliance on the Monroe Doctrine rather than the Empire, Mr. Foster vouchsafed this a single tirade:

Mr. Speaker, the Monroe doctrine and the United States of America might guarantee our safety from foreign invasion, but what would be the price that Canada would have to pay? The humiliation of it would be like the Cain's mark on the brow of every Canadian, the degradation of it would eat into the heart of every man until he grew servile and cringing. The price we would have to pay would be continual demand, continual concession until at last absorption finished the craven course, covered up our name and blotted out our hope of a national future. Bad enough for us to hang on to the apron strings of a loving, opulent mother, but when we have grown to manhood it is the negation of every principle of manhood and independence that we should live in our national home by the grace of the stranger, however well intentioned and kind he might be. I put away the Monroe doctrine as absolutely unthinkable for us as a shelter under which to grow up to national manhood.<sup>2</sup>

Whereas the Laurierites argued that Canada could best serve the Empire by fostering internal development, by expenditures on public works, and in the protection of her fisheries, and the more extreme Nationalists denied that she was in any way indebted to the Mother Country, or even read Canadian history so as to

"MR. R. L. BORDEN: But I am not talking of that kind of war. I am talking of a war in which the Empire might be engaged in a struggle with one of the great naval powers. For my part, I do not see how it is possible in the first place, to work out this scheme which is proposed by the Government. When our ships are on the high seas they will, I presume, be flying the flag of the Empire, the British flag. If they are flying the British flag, then they will be subject to attack, and if they are subject to attack, what are they going to do?" (Canada, *House of Commons Debates*, session 1909-10, col. 7622).

<sup>1</sup> *Ibid.* session 1909, col. 3519.

<sup>2</sup> *Ibid.* col. 3492.



make it appear that the Imperial connection had been purely a national liability, the Conservatives adopted the view that Canada owed her continued existence to British protection, and that her honour demanded all possible sacrifice in aid of the Mother Country. The contrast between Imperialists and Nationalists in the Dominions is nowhere more evident than in interpreting this side of Imperial relations. Mr. Foster did not exaggerate the sentiments of his school when he said :

Take your pencil and add up the treasure that Great Britain has expended during all that long series of years in order that this heritage might be free to those who now possess it—and the wonderful thing about it, which stirs our hearts and which calls for our concurrent action of gratitude, is that after all that expenditure of treasure and of blood, she handed it over to the Canadian people without encumbrance of any kind—no mortgage upon it, no balance to be paid, the patient British taxpayer footed all expenses and gave it to the Colony that he loved and to the people for whom he had prepared it. Thereafter she has guaranteed by her army and navy our security. Our eastern gateway stands open, our western gateways are unblocked, the ocean path is as secure as the streets of a city. Why? Because of the guarantee of Britain's navy and of Britain's prestige. For all of that she has not asked one penny of tribute from these people, she has placed no contribution upon them.<sup>1</sup>

Proceeding on the basis of assumptions as divergent as these, it is small wonder that the Opposition took issue with the whole Government programme for putting into effect the resolution of March 29. For one thing the proposals for a Canadian navy were so modest in scope as hardly to seem sincere. "Tin-pot" and "toy" navy were common appellations throughout the country.<sup>2</sup> Furthermore, even if prosecuted vigorously, an effective Canadian navy would require a long period to organise, and the Government offered no hint of a policy for the interim. "The speediest organisation would not make our Canadian naval service effective in less than ten years. Probably fifteen or twenty years would

<sup>1</sup> Canada, *House of Commons Debates*, session 1909, col. 3499.

<sup>2</sup> "The navy that Sir Wilfrid Laurier gave to Canada three years ago was looked upon the world over as a screaming farce. The proposal to bring to the Dominion of Canada for the purpose of Canadian defence two ships that had been condemned and that were obsolete, was something that it was difficult indeed for the people across the line, and in many centres of Europe, to take seriously. It was an experiment, it was a farcical one, and it brought absolutely no result."—Sir Richard McBride, then Premier of British Columbia, to the Empire Club, Toronto: October 31, 1913 (*Empire Club Speeches*, 1913-14, pp. 53-54).

be required ; and the crisis, as a crisis is to be apprehended, will come and probably within three years"—this was Mr. Borden's argument.<sup>1</sup> "Meanwhile," exclaimed Mr. Burrell, "the shock of battle may come and Canada witness what transpires during the dread arbitrament of war, powerless to assist, seeing everything that we value jeopardised and endangered, while we stand by with hands tied by the short-sighted and totally inadequate policy laid down by this Government."<sup>2</sup>

The Opposition protested strongly against the narrowly restrictive interpretation placed upon the resolution to which they had rendered their support. This had certainly not been intended to preclude an emergency contribution to Imperial defence in addition to the permanent policy. Nor with provision for a Canadian navy back of it would such a donation compromise Canadian autonomy. As Mr. Borden put it :

So far as the resolution of March 1909 is concerned, it not only is consistent with an emergency contribution, but, so far as I understand it, it even authorises an emergency contribution in time of peril. In what way would our autonomy be affected by a contribution of that kind? Have we not given subsidies to cable companies, to railway companies and to steamship companies? Have we not sent contributions to San Francisco and to Italy in times of great disaster? There is no disturbance of our autonomy by what I would call an emergency contribution, and indeed, if we take the example of Great Britain herself, we find that more than one hundred years ago, when she was engaged in a struggle for her very existence, she was in the habit of subsidising great continental nations who were her allies.<sup>3</sup>

The Imperialist Conservatives also quarrelled with the Government basis of co-operation with the Admiralty in war time. In contrast to Liberal emphasis upon the divergent domestic circumstances of the various parts of the Empire, they joined Imperialists in the Old Country in stressing their common dependence upon the sea, and the single fleet which guarded it. Even if Canadian in all else, it should always be considered merely as an integral part of a greater whole, "a Canadian unit of the British navy," as Mr. Borden put it, "I prefer to speak of it in that way, rather than as of a Canadian navy pure and simple." Such unity could be achieved only by a provision for the auto-

<sup>1</sup> Canada, *House of Commons Debates*, session 1909-10, col. 1749 (January 12, 1910).

<sup>2</sup> *Ibid.* col. 3259 (February 8).

<sup>3</sup> *Ibid.* col. 1748 (January 12).

matic transfer of the Canadian naval force to the Imperial authorities when trouble arose. Mr. Foster, for instance, insisted: "Whatever we do must be a real help or nothing. When the call comes for Imperial help there must be no string to prevent the Canadian navy going automatically and at once and helping in Imperial defence."<sup>1</sup> The naval organisation contemplated by the Government in no way fulfilled these conditions. On this score the Leader of the Opposition denounced it most emphatically:

I say without the slightest hesitation that in the most important respect of all, the control of the naval force of the Empire in time of war, the Bill of the Government absolutely departs from the suggestions of the Admiralty and therefore absolutely departs from the resolution unanimously agreed to in this House in 1909. What was the suggestion of Lord Tweedmouth, First Lord of the Admiralty, on that occasion? The suggestion—indeed it was more than a suggestion, it was an absolute declaration—was that, so far as the naval forces are concerned, there must be a unit of the two in time of war. It does not require experience, it does not require naval knowledge, to understand that in time of war the whole integrity and future of this Empire may depend upon that unity of command and control.<sup>2</sup>

They took strong exception to the embodiment of the Laurier policy of optional participation in the Naval Bill, clause 23 of which provided that:

In case of an emergency the Governor in Council may place at the disposal of His Majesty, for general service in the Royal Navy, the naval service or any part thereof, any ship or vessels of the naval service, and the officers and seamen serving in such ships or vessels, or any officers or seamen belonging to the naval service.

Whereas the extreme Nationalists saw in this provision Imperialism thinly disguised, almost certain embroilment in foreign complications over which they had no control, and a continuous threat to Canadian autonomy, the Conservatives found in it the germs of secession from the Empire. Mr. Borden characterised the position of the Prime Minister as "untenable from a constitutional point of view and unworkable from a practical standpoint. It is also dangerous and revolutionary, involving as it does an

<sup>1</sup> In Toronto (October 29, 1909); quoted in *Canadian Annual Review* (1909), p. 97.

<sup>2</sup> *Ibid.* (1910), p. 153.

inchoate declaration of Canada's complete separation from the Empire." <sup>1</sup> What was the meaning of that clause ? he asked :

The plain and direct meaning is that the Governor in Council may refrain from exercising the discretion which is there provided for. If the Government should so refrain, what will be the result ? Are we to be face to face with the condition which the honourable gentleman says is demanded by our autonomy, that Great Britain being at war, we shall declare that we are not at war and that our fleet shall not take any part in it ? If the clause does not mean that, I would like to know what it does mean. So far as I can understand the English language, it means just what I have said. I have just this to add, that, when Great Britain being at war, the Governor in Council shall declare that our fleet shall take no part in it—and they may do that simply by inaction, by standing still, by making no Order in Council—I say that when that occasion comes then such inaction or declaration will amount virtually to a declaration of independence.<sup>2</sup>

The Conservatives still dissented absolutely from the alliance concept of Imperial relationships. While a Government supporter was expatiating upon "Great Britain, the foremost nation of the world, with her lusty and vigorous daughters, four other nations in vigour, promise and resources, united together in a quintuple alliance for the protection and enfranchisement of the British race in every quarter of the globe," Mr. Borden professed to be temporarily in doubt as to whether Canada was still a part of the Empire.<sup>3</sup> Mr. Foster realised clearly the implications in the Liberal position, which were to become so significant a decade later :

The Prime Minister, so far as he goes, holds to this and this alone : a Canadian naval service, built in Canada, manned by Canadians, confined absolutely to Canada. Now, as then, he stands by the policy of 1902 ; we may allow that fleet to aid Great Britain if we consider Great Britain's war is just and that we ought to help. Could not France do the same, could not Russia do the same, could not any country, under an absolutely different form of government do the same ? There is where my honourable friend's policy put Canada

<sup>1</sup> At Long Branch, Ont. (June 15, 1910) ; quoted in *Canadian Annual Review* (1910), p. 177.

<sup>2</sup> Canada, *House of Commons Debates*, session 1909-10, col. 2985. Similarly Mr. Burrell claimed : "The moment, in the face of war, that question is debated that moment we cease to belong to the Empire in any real sense. We cannot be of the Empire and yet not of it. To say, as prominent Liberal organs have said, that we may lend our ships to Great Britain—with emphasis on the may—is to admit the point is an arguable one, a distasteful and dangerous admission" (*ibid.* col. 3268).

<sup>3</sup> *Ibid.* cols. 26-27, 39 (November 15, 1909).

not a part of the Empire, but standing outside the Empire, absolutely independent ; folding his arms, he says just as France or Italy or Germany even would say, when war arises, we will help Great Britain or we will not help as we see fit. . . . That is the position of my right honourable friend. What does he rest in on ? On the cry of autonomy, and he quarrelled with me because I stated at one time that I thought that word was overworked—and I say yet I think it is overworked.<sup>1</sup>

The Conservative Opposition, then, although they agreed that a Canadian navy, not contributions to the Admiralty, was the only acceptable permanent policy, had four main objections to the Government's proposal. It was, as Mr. Borden put it, "dangerous, expensive and practically useless"—a humiliating measure of Canada's place within the Empire ; the terms under which co-operation was offered in the event of crisis were disruptive in implication ; before a permanent policy had been undertaken the verdict of the electorate should have been sought, and finally, immediate and adequate assistance, irrespective of the permanent policy, should be rendered the Home Government in face of the existing emergency. It was in this last respect—insistence upon an immediate and exceptional emergency contribution—that their concrete naval programme differed most strikingly from that of the Government. Mr. Borden stated his position on this point as follows :

It may be fairly asked what we would do if we were in power to-day with regard to a great question of this kind. It seems to me that our plain course and duty would be this. The Government of this country are able to ascertain and to know, if they take the proper action for that purpose, whether the conditions which face the Empire at this time in respect of naval defence are grave. If we were in power we would endeavour to find that out, to get a plain, unvarnished answer to that question, and if the answer to that question based on the assurance of the Government of the Mother Country and the report of the naval experts of the Admiralty were such—and I think it would be such—as to demand instant and effective action by this country, then I would appeal to Parliament for immediate and effective aid, and if Parliament did not give immediate and effective aid I would appeal from the Parliament to the people of the country.<sup>2</sup>

Furthermore, as he went on to explain, the adoption of a permanent policy of sharing in the defence burden of the Empire

<sup>1</sup> Canada, *House of Commons Debates*, session 1910-11, cols. 560-561 (December 1, 1910).

<sup>2</sup> *Ibid.* cols. 227-228.

must be coupled with the corresponding grant of a share in the formulation of Imperial policies in external affairs.

Mr. Borden assumed office on October 10, 1911, but was unable to carry out his promise of consultation with the Home Government on the matter of the emergency until after the session of Parliament which opened in November. Late in June 1912, however, he sailed with several colleagues, attended sessions of the Committee of Imperial Defence and went thoroughly into the problem of naval requirements. He returned ready to present the programme he had adumbrated and fortified with an Admiralty memorandum endorsing it. This document,<sup>1</sup> although it averred that "whatever may be the decision of Canada at the present juncture, Great Britain will not in any circumstances fail in her duty to the Overseas Dominions of the Crown," stressed the rapidity and gravity of German naval expansion, and concluded :

The Prime Minister of the Dominion having inquired in what form any immediate aid that Canada might give would be most effective, we have no hesitation in answering, after a prolonged consideration of all the circumstances, that it is desirable that such aid should include the provision of a certain number of the largest and strongest ships of war which science can build or money supply.

On December 5, 1912, Premier Borden introduced his measure embodying the Conservative emergency naval policy for Canada.<sup>2</sup> Its main features were : not a regular system of contributions, but an emergency donation of \$35,000,000 to cover the cost of three Dreadnoughts ; although the eventual establishment of a Canadian-built navy would be desirable, to attempt the construction of these ships in Canada would involve an additional expenditure of some \$12,000,000 and an unwarranted delay, hence the work would be undertaken in Britain ;<sup>3</sup> furthermore these ships would not, for the time being at least, constitute a Canadian naval force :

These ships will be at the disposal of His Majesty the King for the common defence of the Empire. They will be maintained and

<sup>1</sup> Canada, *House of Commons Debates*, session 1912-13, cols. 679-684 ; Keith, *Selected Speeches*, vol. ii. pp. 313-321.

<sup>2</sup> *Ibid.* cols. 676-694, reprinted Keith, *op. cit.* vol. ii. pp. 308-338 ; see also résumés of ensuing debates in *Canadian Annual Review* for 1912 and 1913.

<sup>3</sup> Of the Dominion naval vessels the light cruiser *Brisbane* and the four destroyers of the Australian Fleet were built at Sydney, the others were all British-built.

controlled as part of the Royal Navy ; and we have the assurance that if at any time in the future it should be the will of the Canadian people to establish a Canadian unit of the Royal Navy, these vessels can be recalled by the Canadian Government to form part of that unit, in which case of course they would be maintained by Canada, not by Great Britain.

After long and acrimonious debate, in which the old ground was fought over and Liberal denial of the existence of an emergency and insistence that the Canadian navy be Canadian built were salient features, this measure was killed by obstruction in the Senate, so that, at the outbreak of the War, Canada had only her " navy " of the Nationalist era available.

The next episode of major consequence in the politics of the defence issue was the adoption by Mr. Churchill of a policy of naval concentration in home waters.<sup>1</sup> This was a distinct reversal of the attitude shown by the Home Government in 1909 and striking testimony to the increasing menace of German preparations. Commenting editorially upon its significance from the standpoint of the Empire's place in world politics, *United Empire* held that it constituted " a change in policy of a far-reaching character, and may mark a new epoch in our history. . . . Whereas we used to depend for our naval supremacy on naval superiority we are now compelled to use alliances and *ententes* as make-weights." <sup>2</sup> This move had, in addition, an important intra-Imperial bearing. The British Government had cabled that of New Zealand for permission to retain in home waters the battle cruiser which, under the 1909 arrangement, was to have been the flagship of the China unit, and had received from Hon. Thomas Mackenzie, then Premier, the prompt reply : " The Government agrees to your proposals and considers that the *New Zealand* should be stationed wherever the Home Government considers her of most value." It had been Mr. Churchill's intention to use the three Canadian Dreadnoughts projected by Mr. Borden in conjunction with the *Malaya* and *New Zealand* (replaced on the India and China stations respectively by the older battleships *Swiftsure* and *Triumph*) to form an " Imperial squadron " with base at Gibraltar, " a mobile Imperial squadron

<sup>1</sup> See in this connection his speech of March 17, 1914, in the Commons ; reprinted Keith, *op. cit.* vol. ii. pp. 343-356.

<sup>2</sup> Vol. iii. p. 543 (July 1912).

of the greatest strength and speed, patrolling the Empire, showing the flag, and bringing effective aid wherever needed.”<sup>1</sup>

This change in policy had important consequences. It was felt, especially in the Antipodes, that the defence of the Pacific had been relegated unduly to the Anglo-Japanese Alliance, and corresponding apprehensions were aroused thereby. It inclined Mr. Massey to align himself with Australian views.<sup>2</sup> It was deprecated by the Australian *Round Table* Group in the following terms :

The Australian fleet in its present form was first definitely agreed to at the Defence Conference of 1909, in which Canada and Australia and England took part. It formed part of a scheme in which both Canada and England assumed obligations or indicated their intention of adopting certain lines of policy. None of the obligations undertaken by Canada or England have been carried out. Australia has done her part, but the policy of the other members of the Conference has changed, and their parts in the scheme have been abandoned. The occasion has, therefore, arisen to make the most exhaustive examination of the grounds upon which the Australian policy is based, of the reasons which should induce Australians to insist upon its continuance, of the sacrifices and risks which the policy involves, and of the direction in which it may be expected to develop.<sup>3</sup>

It has subsequently been roundly denounced by Mr. Jebb : “ In the political aspect it was the first instance of a Britannic government breaking faith with the Imperial Conference over a matter of urgent importance, the Prime Minister having already obtained

<sup>1</sup> *Canadian Annual Review* (1913), pp. 121-122.

<sup>2</sup> “ The effect of this on New Zealand itself is that to-day we find ourselves having to rely for naval protection on a Power which is now bound to England by a treaty of alliance but which may become in time by a turn in events not a protection but a menace. We are not content to leave our protection in the hands of the Japanese fleet. Therefore, we have resolved to make a start in having a navy of our own, under our own control, manned by our own people, and in time, we hope, built in our own yards.”—Mr. Arthur Meyers, Minister of Finance and Defence in the Massey Cabinet (1913); quoted in Kirkpatrick, *Imperial Defence and Trade*, p. 61.

<sup>3</sup> *Round Table*, vol. iv. p. 395. “ The grievance is, roughly, based on three counts. Australians feel, in the first place, that by departing from the 1909 Agreement and offering to Canada in 1912 a totally different form of advice from that offered to Australia in 1909, the Admiralty has gone back upon the belief in national development to which it gave its support five years ago. In the second place, they consider that, if this change of policy was to be made and the 1909 Agreement not be fulfilled, the necessity of the change and the reasons for it should have been communicated to Australia long ago. In the third place, they fear that the failure of the Agreement—particularly in regard to the complementary character of the East Indies and China “ units ”—has stultified their efforts and made them of small account ” (*ibid.* p. 450).



the assent of Parliament for the agreed proposal. The naval consequences were disastrous in the War.”<sup>1</sup> The chagrin of Australians at the seeming repudiation by the other parties to the agreement of the comprehensive project which they had done most to achieve—the assumption by the Dominions most interested of responsibility for the proper safeguarding of the Pacific—may readily be appreciated. On the other hand the disposition of the *New Zealand*, if a distinct modification of the political aspect of the 1909 arrangement, was at least in accordance with the terms of Sir Joseph Ward’s original offer and was concurred in by a succeeding government. Moreover the fact that Jutland was not, like Trafalgar, a decisive battle did not necessarily invalidate the strategy of concentration which preceded it.

Such was the situation at the outbreak of the War. It will be seen from this sketch of its evolution that the main elements in the defence problem and the lines of ultimate settlement had by this time all been determined more or less conclusively. The strength of Nationalism throughout the Empire had been clearly evidenced by preoccupation with local defence requirements and the determination of the Dominions themselves to assume responsibility for them. This was complete as regards military defence. It was merely mitigated in naval matters by a varying degree of deference to the considerations of strategy entailed by the existence of paramount danger from a single quarter—and since the War this factor has (thus far) ceased to operate. The Imperialist ideal of a single navy under central control in peace and war, in the establishment and maintenance of which all would share proportionately, and of a single army with detachments organised and ready for the word throughout the Empire, had failed. Instead of integration the principle of co-operation, later to be recognised in the conduct of foreign relations as well, had been adopted—that of several naval and military units, separately organised and maintained, yet sufficiently in accordance with a common plan that, when made available by their governments, these units could be merged into one army and one navy for the defence of the Empire wherever needed. As in other aspects of Imperial relations, this basis of co-operation was a political compromise between the demands of the Imperialists and the intransigence of the ultra-Nationalists. “Autonomy” was safeguarded

<sup>1</sup> *The Empire in Eclipse*, pp. 229–230.

by the sacrifice of a serious measure of strength for immediate needs, yet Imperialists and Nationalists both secured, in a measure, their essential objectives.

*The Imperial Conference and High Policy (1907 and 1911)*

The issue of the conduct of "high policy" meanwhile, although it had by no means remained in abeyance, had held relatively a subsidiary place in the discussions. The most vital problem, perforce, was Imperial defence. Nationalism in Imperial affairs and pacification in foreign relations had gained the ascendancy in Downing Street. Moreover, the Dominions, in the view of the Home Government, had hardly as yet assumed a share of the defence burden adequate to qualify them for admission to Imperial counsels.<sup>1</sup> Still more pertinent was the fact that the Mother Country alone was closely enough situate to the centre of swiftly-moving developments to watch them effectively, or had the other facilities requisite for doing so. Nevertheless, participation by the Dominions in the conduct of Imperial foreign affairs was a salient feature of the Federationist projects of the period, and in addition there were several specific developments in this regard between the Chamberlain régime and the outbreak of the Great War which well merit consideration. These comprise: direct appeals to the Imperial Conference in 1907 and 1911 as the proper *milieu* for the discussion of foreign relations touching the Dominions; the definitely Imperialist attitude assumed by Mr. Borden in the course of the Canadian naval controversy; the inauguration by the Home Government of the practice of informing the overseas Premiers of developments in Imperial foreign policy; the attainment of regular Dominion representation on the Committee of Imperial Defence, and the reaching in 1911 of a (for the time being) satisfactory *modus vivendi* regarding the conduct of Imperial foreign relations in general.

Granting to the Dominions a voice in the formulation of high policy was an important motive in the abortive attempt of Australia and New Zealand in the 1907 session to reconstitute the Conference as an Imperial council and endow it with a permanent secretariat. Sir Joseph Ward, in urging the estab-

<sup>1</sup> See R. Jebb, *The Britannic Question*, p. 41.

lishment of these agencies, stressed this feature, and indicated clearly how Nationalist tendencies must prove the alternative to the acceptance of such Imperialist proposals. He urged :

Our country is very anxious and willing to assist the Old Land in the event of trouble arising, to do so voluntarily by men or by money, and, I think, always would be ready to do its share in fighting for the defence of the Motherland in any portion of the world. We want to keep clear of the possibility of being drawn into what one might term Continental troubles with England itself. We want to have a distinct line of demarcation drawn in that respect between the responsibility we accept of our own free will and the responsibility that may be imposed upon us without our having had an opportunity of conference or discussion with regard to it. To my mind that is one of the matters upon which such an Imperial Conference or Council permanently established, with the understanding that the members of it would correspond with one another during the recess from time to time should circumstances require it, would be beneficial, so that we might take joint action for the purpose of helping or working together in critical times.<sup>1</sup>

Despite failure in this respect, there were positive developments which seemed to point in the direction Imperialists desired to go. In the 1907 session considerable progress was made regarding commercial treaties and much was done through Dominion initiative to clarify the status of the Conference in the handling of political questions. Two important episodes at this session bore upon the latter issue. One was the appeal by Sir Robert Bond, Premier of Newfoundland, to the Conference as a whole regarding his relations with the United States ; the other was Mr. Deakin's trenchant criticism before this body of the Home Government's failure to consult with Australia and New Zealand regarding the New Hebrides settlement. Both of these raised the problem of the extent to which the Conference was to be utilised as a forum for the discussion of the foreign relations of the Mother Country or of specific Dominions which affected other parts of the Empire.

The members of the Conference had already shown complete readiness to criticise one another's commercial policies. Thus, in 1894, Mr. Foster defended Canada against the charge by Australian delegates that the Franco-Canadian treaty of 1893 involved the possibility of discrimination against other Colonies.<sup>2</sup>

<sup>1</sup> Cd. 3523, p. 32.

<sup>2</sup> C. 7553. pp. 74-79.

Similarly, the bearing which the Home Government's persistent refusal to alter their fiscal policy had upon the movement for Imperial preference raised frequent comment, especially in 1907.<sup>1</sup> By the Blaine-Bond Convention of 1890, the Government of Newfoundland had endeavoured to settle the fisheries controversy with the United States from her own standpoint, and without reference to Canada's interest in the matter. In return for the free admission of fish and several other articles, American fishermen were to be allowed privileges in procuring bait and supplies and in other regards which would have made the United States independent of whatever Canada had to offer in a bargain with her. The only intimation of the negotiations Canada had received was from the American press. Sir John A. Macdonald at once cabled Tupper, then Canadian High Commissioner, urging strong protests against this alarming departure from the policy of united action by the Colonies interested. Sir Charles wrote a strong letter to the Colonial Secretary, and after some vacillation on their part, secured a veto of the arrangement by the Home Government.<sup>2</sup> Canada did not intervene regarding the Bond-Hay treaty of November 1902 (rejected by the United States Senate), one group holding that Canadian interests were not involved, and another that interference would indefinitely postpone the union of the two Dominions, and disincline the Islanders to preferential treatment for Canadian or British goods.<sup>3</sup>

In the 1907 Conference Sir Robert Bond reviewed the whole course of the fisheries question.<sup>4</sup> His particular grievance at that time was that the *modus vivendi* of 1906 between the British and American Governments operated to override laws of Newfoundland which had received the Royal assent, and which, in his view, covered matters within their own competence. The Newfoundland Premier considered the issues here involved to be of Imperial moment. The interest of his action lies in his insistence on bringing the question before the Conference as the representative Imperial assembly, and in his willingness to abide by their verdict on his appeal. In presenting his case, he said :

It will, therefore, only be necessary for me to briefly outline the treaty relations that have existed, and that still exist, between His

<sup>1</sup> Cd. 3523, discussion of Imperial preference, *passim*.

<sup>2</sup> J. W. Longley, *Sir Charles Tupper*, pp. 200-205.

<sup>3</sup> *Canadian Annual Review* (1902), pp. 177-178.

<sup>4</sup> Cd. 3523, pp. 587-600.

Majesty's Government and that of the United States of America ; the obligations that are imposed upon American subjects under the existing treaty and the contentions of the Government of the United States of America now before His Majesty's Government, and which, I submit, are sufficiently grave to warrant the most serious consideration of this Conference, inasmuch as they challenge the binding effect of Colonial laws upon foreign subjects when coming within the jurisdiction of a Colonial government. The question affects the Colony that I represent principally and most vitally, but it also affects every Colony represented in this Conference.

I have had the privilege of discussing the question with Sir Edward Grey, of the Foreign Office, with your Lordship, and Mr. Winston Churchill, and have stated, as clearly as I know how to do so, what I believe to be the rights of those I represent. That statement I desire to repeat here and now, for if it is held by this Conference to be unreasonable or unduly exacting, I shall be prepared to modify it to meet what may be considered reasonable and right.<sup>1</sup>

The discussion which followed Sir Robert Bond's statement was considered too significant to bear publication in the Conference proceedings.

As we have seen, while the situation of Canada inclined her to assume within her own hands the conduct of her relations with the United States, the fact that the foreign problems of Australia and New Zealand involved distant and powerful European nations, and hence direct participation in world politics on the part of the government which undertook their solution, restrained these Dominions from following the Canadian lead. Instead, they were content to leave this responsibility with the Mother Country, and dissatisfaction with the neglect of their interests led to demands for consultation with the Home Government, rather than devolution in the conduct of negotiations. Accordingly, when Mr. Deakin appealed to the 1907 Conference against the manner in which the British Government had handled the New Hebrides settlement,<sup>2</sup> his chief point of emphasis was upon the failure to consult with the Southern Dominions, whose interests were most vitally affected and whose knowledge of local circumstances was the most complete. His outspoken criticism suggests great possibilities for the future rôle of the Conference :

All I am concerned to insist upon now is that there should be no pretence that any respect whatever was paid or sought to be paid to the opinion of Australia, or any recognition given to us in a very serious

<sup>1</sup> Cd. 3523, p. 587.

<sup>2</sup> *Ibid.* pp. 548-563.

matter on which we certainly were entitled to be consulted, or at least informed, at every step. We were not even informed of what was taking place except through the newspapers. That it should be possible at the centre of the Empire to conduct a negotiation upon matters of grave importance which had been the subject of correspondence for twenty-four years between the Colonial Office and the self-governing communities concerned and which was of great moment to Imperial interests in the Pacific in this casual and secret fashion is, I think, the strongest possible impeachment of the methods that have obtained in this office.<sup>1</sup>

The discussion which followed Mr. Deakin's statement likewise remains unrecorded in the report of their proceedings.

These revolts from Colonialism after all related to local grievances. Their significance rests on the assumption which lies back of them regarding the status and functions of the Imperial Conference. Appeal was made over the heads of the Home Government to the assembly in which all the self-governing parts of the Empire were equally represented. This implied that the Conference was the one sovereign body of the Empire, to which any member might refer a problem of Imperial relationships and secure a general expression of opinion upon it. Though provoked by local dissatisfaction, these were striking instances of insistence upon communal consultation. Great Imperial possibilities lay in such a tendency, should it prove continuous.<sup>2</sup> Downing Street, however, was certainly opposed to the raising of such questions; erstwhile official Britain favoured the *status quo*, the retention by the Home Government wherever possible of unrestricted authority over foreign affairs. As for Sir Wilfrid Laurier, although he made this same Conference the occasion for voicing a strong complaint against the British embargo on Canadian cattle,<sup>3</sup> his general attitude was that the relations of the Dominions were individually with the Mother Country or with one another, and that there should be no mutual interference save in matters of direct concern. In general he opposed communal commitments through action by the Conference. No formal action was taken on this occasion regarding these appeals. It was not until the session of 1911 that the Declaration of London issue provoked a concrete decision.

<sup>1</sup> Cd. 3523, p. 555.

<sup>2</sup> See R. Jebb, *Imperial Conference*, vol. ii. p. 273, and "Conference or Cabinet," in *United Empire*, vol. xi. at p. 165.

<sup>3</sup> Cd. 3523, p. 415.

In the face of Dominion apathy regarding defence measures and the Nationalistic attitude of the Home Government the international situation continued to grow more tense. The German scare early in 1909 forced the British Government to make more strenuous efforts for the securing of Dominion aid, and, if not to repeat Mr. Chamberlain's offer, at least to share with the Daughter States some of those secrets relating to high policy which the Asquith theory would have jealously preserved as the concern of His Majesty's advisers only. When the Imperial Defence Conference met in the summer of 1909, several sessions were held in private in the Foreign Office, and at these spokesmen of the Home Government laid before the Dominion representatives the exigencies of the European situation.<sup>1</sup> We have no record of these conversations, but it is difficult to see how appeals for aid could have been made convincing if not backed by concrete revelations regarding foreign policies. This was an important precedent, a departure from Colonialism, but it was not Imperialism—the admission of the Dominions to partnership in the conduct of foreign relations. It was merely an urgent call for assistance, coupled with information why that aid was needed.

Between the Conferences of 1909 and 1911 the chief developments regarding the conduct of Imperial foreign relations issued from the Canadian naval controversy, the chief points of conflict in which have already been considered. Although the defence issue was uppermost, divergent theories as to the conduct of foreign policy lay at the root of the discussion. The chief feature of the episode is the distinct demand by Mr. Borden that Canada meet the conditions laid down by Mr. Chamberlain in 1902 and that the Home Government repeat the offer made upon that occasion. Although Sir Henry Campbell-Bannerman had reaffirmed the relation between assumption of defence obligations and admission to Imperial counsels, it is reasonably certain that he had not pressed the issue as had Mr. Chamberlain. The quondam British Government had too much sympathy with the Laurier point of view for that. Meanwhile in Canada the ultra-Nationalists were continuously urging the plea of exclusion from all voice in foreign politics as an excuse for repudiating defence obligations, but without the slightest intention of accepting any such privilege should it be offered to them. The Laurierites,

<sup>1</sup> Cd. 4948, *passim*.

however, though from time to time they gave the situation a passing reference, did not press this argument, and scrupulously declined, as in 1902, all Imperialist seductions. There is no evidence that Sir Wilfrid was ever more than a mere recipient of information upon foreign affairs, that he ever interposed his advice, or committed himself in any Imperialist sense. As for the Conservatives, during the South African debates they were Colonialist enough to deprecate raising the issue, but they now evidenced a change of heart, and before the controversy subsided, had taken a definitely Imperialist stand.

Waxing Canadian Nationalism had affected the Opposition as well as the Liberals, and had inspired them also to a repudiation of Colonialist vestigia. Nevertheless concern for the common safety still moved them in general to relegate the correlative of defence aid—participation in Imperial foreign policies—to a secondary place. During the first debate on the Naval Bill, Mr. Borden did not advance a definite policy in this regard. He merely said :

I know that it has been urged, and with some force, that we in Canada cannot properly take a part in the naval defence of the whole Empire unless we are to have some voice as to the wars in which Great Britain may engage. Let me say in the first place that I do not believe Great Britain will in the future engage in any great war—except indeed it may be a war forced upon her without a moment's notice—before consulting the great Dominions of the Empire. I have some warrant for that statement when I recollect that before Great Britain engaged in the South African war, which was, in the end, forced upon her, she came to the great Dominions of the Empire, she came to Canada and she sought advice and counsel.<sup>1</sup>

Although he expressed the hope that the organisation of defence would be undertaken by some committee or conference representative both of Governments and Oppositions throughout the Empire and adumbrated Dominion participation in foreign affairs, he ventured no specific demand that Colonialism be ended and the conduct of foreign policy be placed upon a fully co-operative basis. In a speech shortly afterwards, however, C. J. Doherty, later Conservative Minister of Justice, declared :

I am here to say that, when this duty is presented to us of our taking a share in the maintenance of the naval forces of this Empire,

<sup>1</sup> Canada, *House of Commons Debates*, session 1909-10, col. 1742 (January 12, 1910).



there is necessarily presented to us at the same time another duty, the duty of taking our share in the heavy burden of the control of the foreign affairs of this Empire.<sup>1</sup>

When the succeeding session of Parliament opened, Mr. Borden was ready with a definite statement as to the attitude of the expectant Opposition upon the issue of Dominion participation in the conduct of Imperial foreign policies. After outlining his proposed course as regards the defence emergency, he said :

'Then, Sir, as to the permanent policy, I think the people have a right to be consulted. I do not know whether I have made my position clear, but I have done so according to my humble capacity. I think the question of Canada's co-operation upon a permanent basis in Imperial defence involves very large and wide considerations. If Canada and the other Dominions of the Empire are to take their part as nations of this Empire in the defence of the Empire as a whole, shall it be that we, contributing to that defence of the whole Empire, shall have absolutely, as citizens of this country, no voice whatever in the councils of the Empire? I do not think that such would be a tolerable condition. I do not believe the people of Canada would for one moment submit to such a condition. Shall members of this House, representative men, representing two hundred and twenty-one constituencies of this country from the Atlantic to the Pacific, shall no one of them have the same voice with regard to those vast Imperial issues that the humblest taxpayer in the British Isles has at this moment? It does not seem to me that such a condition would make for the integrity of the Empire, for the closer co-operation of the Empire. Regard must be had to these far-reaching considerations, a permanent policy would have to be worked out, and when that permanent policy has been worked out and explained to the people of Canada, to every citizen in this country, then it would be the duty of any Government to go to the people of Canada to receive their mandate and accept and act upon their approval or disapproval of that policy.'<sup>2</sup>

By this pronouncement Mr. Borden clearly aligned himself with the Imperialists. He promised, in effect, that should the electorate afford him the opportunity, he would take immediate steps to commit Canada to her fair share of the defence obligation. Having thereby fulfilled the condition heretofore imposed by the Home Government, he would then issue a demand for a corresponding share in the control of foreign affairs. The

<sup>1</sup> See Canada, *House of Commons Debates*, session 1909-10, cols. 4137-4147 (February 24, 1910).

<sup>2</sup> *Ibid.* session 1910-11, cols. 227-228 (November 24, 1910); see also Keith, *Selected Speeches*, vol. ii. pp. 310-311.

responsibility for the next move would thereby be placed definitely upon the Imperial authorities.

Thus, by 1911, developments had reached a stage at which issues that had been tentatively discussed in 1907 were now squarely faced. As regards foreign relations, the Conference of 1911 took up the problems of Imperial organisation and consultation on policies where the previous session had left them, and registered definite decisions. In 1911 Sir Joseph Ward brought forward his Imperial federation scheme, under the guise of a proposed "Parliament of Defence," the chief feature of which would have been the assumption of full authority over defence and the conduct of foreign relations. The reception of Sir Joseph's proposal on the part of the other members of the Conference was uniformly adverse. Mr. Asquith's handling of the suggestion that the Dominions should be admitted to partnership with the British Government in foreign affairs was particularly decisive. He said :

It would impair if not altogether destroy the authority of the Government of the United Kingdom in such grave matters as the conduct of foreign policy, the conclusion of treaties, the declaration and maintenance of peace, or the declaration of war and, indeed, all those relations with foreign Powers, necessarily of the most delicate character, which are now in the hands of the Imperial Government, subject to its responsibility to the Imperial Parliament. That authority cannot be shared, and the co-existence side by side with the Cabinet of the United Kingdom of this proposed body—it does not matter by what name you call it for the moment—clothed with the functions and the jurisdiction which Sir Joseph Ward proposed to invest it with, would, in our judgment, be absolutely fatal to our present system of responsible government.<sup>1</sup>

There was nothing ambiguous about this statement. But while the Home Government demanded unfettered discretion in the management of their foreign affairs, Mr. Asquith also repudiated Sir Joseph's scheme as equally destructive of Dominion autonomy. Thus impliedly Mother Country and Dominions were each to operate freely within their spheres. The fact that the fate of the Dominions was bound up with British conduct was merely left out of the question. Canada, still represented by Laurier, was recorded as fully endorsing this basis of relationships.

Thus, the out-and-out Imperialist solution for the problem

<sup>1</sup> Cd. 5745, p. 71.

of conducting Imperial foreign relations was conclusively rejected. In face of such united criticism, Sir Joseph had no course but to withdraw his resolution. There remained the alternative of admitting the Dominions to consultation with the Home Government, either collectively in the Conference, or individually when their interests were affected. In the session of 1911 this issue was raised more emphatically than in 1907. Hardly had the Conference disposed of Sir Joseph's proposal, and Mr. Asquith enunciated his determination to retain in his own hands a monopoly of foreign policy, when British action regarding the Declaration of London came under fire from Australia.<sup>1</sup>

Here, as usual, it was because Dominion economic interests were involved that the discussion was provoked. Mr. Fisher moved a resolution regretting that the Dominions had not been consulted prior to the acceptance by the British delegates of the terms of this Declaration. Adoption of Article 24 regarding foodstuffs, since so large a part of Empire trade was in these commodities, and of Articles 48 and 54 permitting the destruction of neutral vessels, was pronounced inadvisable. Although he did not go as far as the New Zealand proposal, in fact had voted against it, the Australian Premier now demanded that the principle already in operation as regards commercial negotiations should be applied in matters of high policy also. He succinctly presented the whole issue :

Hitherto the Dominions have not, as far as my knowledge goes, been consulted prior to negotiations being entered into by the Mother Country with other countries, as regards treaties or anything that led up to a treaty or a declaration of this kind. I hold strongly the view—with great deference to the opinions of His Majesty's Ministers in the United Kingdom—that that is a weak link in the chain of our common interests. Since we are now a family of nations, has not the time arrived for the oversea Dominions to be informed, and whenever possible consulted, as to the best means of promoting the interests of all concerned, when the Mother Country has decided to open negotiations with foreign Powers in regard to matters which involve the interests of the Dominions? We do not desire in any way to restrict the final arbitrary powers of the Mother Country; that is not our desire at all, but we do think and shall press upon you, Mr. Asquith, as representing the centre of the Empire, the government of the United Kingdom, which has in many matters the management of the whole of the affairs of the Empire, that it would be advisable for you wherever

<sup>1</sup> Cd. 5745, pp. 97-134.

possible, at any rate in important matters which concern us, such as this, to take us into your confidence prior to committing us.

You will see, therefore, that we hold that it is not sufficient for you even to make a good treaty affecting us and then to tell us after it has been made. The fact that this Declaration of London has been taken exception to has given a most suitable opportunity to discuss this matter. What would have happened, may I ask you, if this Declaration had not been made by you and all the other Powers concerned at a time just prior to the meeting of this Conference? Supposing it had been immediately after a Conference, there would then have been four years of discontent, misunderstanding, and, I have no doubt, a little asperity between the Dominions and the Mother Country. It is fortunate, I think, that this opportunity has been given to us almost immediately after the question arose.<sup>1</sup>

Mr. Batchelor<sup>2</sup> complained that although the issues were tremendous and Australian interests vitally affected, the Declaration of London had been signed without any prior consultation of the Dominion whatever. They had learned of it only through a Blue Book, after the matter was settled, when it was too late for modification, and refusal of ratification might be a most serious and undesirable course. Australia had the greatest *per capita* sea-borne commerce of any country, much greater in volume than that of many of the signatory Powers. The provisions regarding sinking neutral vessels would affect the price of goods and injure Australian carrying trade; those relating to the conversion of merchantmen rendered the situation of that isolated Dominion precarious. He admitted that there could be only one foreign policy for the Empire, and only one final authority for it, but why did that, as Sir Edward Grey had publicly maintained, render prior consultation of the Dominions impracticable?

Sir Edward Grey, for the British Government, first entered into a lengthy explanation of the terms of the Declaration, with a view to meeting the Australian criticisms. This, of course, was by way of justifying British action and allaying Dominion discontent; it had no relation to the main issue. Next he discussed what he admitted to be the more important problem, that of prior consultation with the Dominions. He explained that the Declaration of London was a sequel to the Hague Conference and the Prize Court Convention, in which the Dominions were not represented, hence they could hardly have been admitted

<sup>1</sup> Cd. 5745, pp. 97-98.

<sup>2</sup> Minister of External Affairs, Australia.

suddenly at the later stage. He assured the Premiers, however, that steps would be taken to secure Dominion representation in the inter-departmental conference which would draw up instructions for the British delegates to the next Hague assembly. He emphasised the physical impossibility, through lack of time, of consulting even the entire British Cabinet on points which arose during such negotiations, and submitted that it was necessary on occasion for the British Government to act for the Dominions, just as certain Ministers did for the British Government in such cases.

Sir Wilfrid Laurier's attitude towards this issue was in keeping with the policy he had consistently pursued in such matters. In answer to a question in the Canadian House earlier in the year as to the action of the Canadian Government regarding the Declaration of London, he stated that the Declaration and all documents connected with it had been received and laid on the table, but that the Canadian Government had made no representations to the Imperial authorities regarding it. The reason alleged was that :

As the whole subject of the Declaration of London deals exclusively with questions of international law, the government of Canada not being a sovereign power did not think itself justified to make official representations on such matters, but the question may be discussed informally with the Imperial government at the next Imperial Conference.<sup>1</sup>

In the Conference, his remarks epitomised his attitude towards the whole question. He classified treaties into two types, commercial treaties, and those of amity, aiming to prevent or end wars. As regards the former, the principle had been adopted of never including the Dominions without their consent, which involved prior or later consultations with them. Furthermore, Canada had secured freedom to negotiate her own commercial arrangements, in conjunction with the British authorities. As regards the second type of treaty, which involved issues of high policy, Sir Wilfrid took an entirely different stand. Here the necessity of consulting the Dominions would seriously hamper the Home Government. Australia might advise one way, New Zealand another, and Canada urge a third policy :

<sup>1</sup> Canada, *House of Commons Debates*, session 1910-11, cols. 5935-5936 (March 23, 1911).

I noticed particularly what was said by Mr. Fisher a moment ago, that the British Empire is a family of nations, which is perfectly true ; but it must be recognised that in that family of nations by far the greater burden has to be carried on the shoulders of the Government of the United Kingdom. The diplomatic part of the government of the Empire has of necessity to be carried on by the Government of the United Kingdom, and that being so, I think it would be too much to say that in all circumstances the Dominions beyond the seas are to be consulted as far as the diplomatic negotiations are concerned. That is what I understood Mr. Fisher to desire.<sup>1</sup>

The Canadian Premier stressed the interrelations of responsibility for participation in the formulation of policies and for rendering these policies effective. Such a responsibility he was not prepared to undertake. Replying to Mr. Fisher's interjection that this responsibility was assumed by attendance at the Imperial Conference, he summed up his policy regarding participation in Imperial issues :

No, we come here to discuss certain questions ; but there are questions which seem to me to be eminently in the domain of the United Kingdom. We may give advice if our advice is sought ; but if your advice is sought, or if you tender it, I do not think the United Kingdom can undertake to carry out this advice unless you are prepared to back that advice with all your strength, and take part in the war and insist upon having the rules carried out according to the manner in which you think the war should be carried out. We have taken the position in Canada that we do not think we are bound to take part in every war, and that our fleet may not be called upon in all cases, and therefore, for my part, I think it is better under such circumstances to leave the negotiations of these regulations as to the way in which the war is to be carried on to the chief partner of the family, the one who has to bear the burden in part on some occasions, and the whole burden on perhaps other occasions.<sup>2</sup>

This was Nationalism, not Imperialism. It meant not the common assumption of responsibility on the part of all the British nations for all Imperial issues as they arose, but the determination by each in its own way how the matter should be handled, and how far its own responsibility should extend. Thus Laurier's Nationalism regarding foreign relations was the counterpart of Asquith's. The British Premier declared to the Conference that Dominion autonomy was " absolute, unfettered, and complete," then refused point-blank to allow them any share in the conduct

<sup>1</sup> Cd. 5745, p. 116.

<sup>2</sup> *Ibid.* p. 117.

of foreign policy. Sir Wilfrid accepted this position and added the corollary—separate foreign policies for the Dominions. Just as Mr. Asquith, in claiming a monopoly in the conduct of foreign relations for the Home Government, had ignored the fact that the Dominions were involved in the consequences of British action, so Laurier, in endorsing the same policy, made the same omission. He was speaking in time of peace, and dealing with the issue in its domestic or internal aspect, he was enunciating the principle which he thought should govern the relations of the British nations to one another in the future, oblivious to the fact that foreign Powers were yet to be heard from.

In contrast, Sir Joseph Ward, who spoke next, considered the external aspects of the problem, and stressed the interdependence of the Empire. Consequently, he urged consultation with the Dominions whenever possible. Sir Edward Morris (Newfoundland) expressed gratification that Sir Edward Grey's statement had assured consultation in the future "on matters like this in which there is an interest and a partnership." This, he anticipated, would be one of the most important results of the Conference. Premier Botha's policies in the Conference were in general identical with those of Sir Wilfrid. In discussing Mr. Fisher's resolution the South African Premier insisted, on the one hand, that no steps should be taken by the Conference to handicap the Home Government; the latter should assume full responsibility in foreign affairs. At the same time, he maintained that the British Government should not incur obligations affecting a specific Dominion without consulting that Dominion. He reaffirmed what he said in this regard earlier in the proceedings: "No one can feel more than I do that, as often as the British Government has to deal with matters which may affect a particular part of the Empire, it is essential that the particular Dominion concerned should have an opportunity of being heard and of expressing its views."<sup>1</sup>

In view of Sir Edward Grey's statement and the trend of the discussion, Mr. Fisher obtained leave to substitute a new resolution, to which all subscribed:

That this Conference, after hearing the Secretary of State for Foreign Affairs, cordially welcomes the proposals of the Imperial government, viz.: (a) that the Dominions shall be afforded an opportunity

<sup>1</sup> Cd. 5745, p. 69.

of consultation when framing the instructions to be given to British delegates at future meetings of the Hague Conference, and that Conventions affecting the Dominions provisionally assented to at that Conference shall be circulated among the Dominion governments for their consideration before any such Convention is signed ; (b) that a similar procedure where time and opportunity and the subject matter permit shall, as far as possible, be used when preparing instructions for the negotiations of other international agreements affecting the Dominions.<sup>1</sup>

The last clause of this resolution, particularly the reservation "where time and opportunity and the subject matter permit," is especially important, and embodies the compromise which secured its passage.<sup>2</sup> By this the desirability of consulting with the Dominions was recognised, but the ultimate discretion of the British Government as to the cases in which this was actually to be done remained unimpaired. Thus it could be reconciled with the pronouncement of Mr. Asquith, already cited, regarding responsibility for foreign affairs. Taken together, these enunciate the general principle governing the conduct of high policy within the Empire down to the Great War, a principle accepted by the representatives both of the Mother Country and the Dominions in this session of the Conference.

A decision embodying a compromise between such conflicting viewpoints could not but be indefinite. General consultation on foreign policy was evidently what Mr. Fisher and Sir Joseph Ward were advocating, though Mr. Asquith's earlier statement had considerably dampened their ardour. This, too, was what Mr. Asquith, and apparently Sir Wilfrid Laurier also, had set their faces against. General Botha alone at the Conference drew a clear distinction between consulting with a Dominion on those points in which its interests were specifically concerned, decision on the broad lines of policy remaining with the Home

<sup>1</sup> Cd. 5745, pp. 15, 130-132. The Conference (Australia abstaining) also endorsed ratification of the Declaration of London.

<sup>2</sup> The various viewpoints may be illustrated by the following extract from the conclusion of the debate :

"General BOTHA : I want it clear. I do not want to handicap the British Government. I want them to undertake the full responsibility.

"The PRESIDENT : The British Government do not want to shovel it off on to the Dominions.

"Mr. FISHER : I do not want to handicap you either. We want to be associated as far as possible.

"The PRESIDENT : I really think that this gives effect to both views in the resolution." Speaking on behalf of the Government I think it does" (*ibid.* pp. 131-132).



Government, and the shaping of policies by a process of securing general expressions of opinion. The resolution itself admitted of either procedure, at the discretion of the Home Government. On the face of it, the resolution was merely an expression of pious advice to Downing Street, but in view of the fact that the airing of Dominion grievances in full Conference had become the established practice, the moral force of such a pronouncement, unanimously endorsed by the Premiers, should have been great.

When Mr. Borden assumed office in Canada (October 10, 1911) he had an opportunity of putting into effect the policies he had recommended to Sir Wilfrid. These, it will be recalled, were first, obtaining from the Home Government a definite statement as to the emergency defence requirements of the Empire and Canada's duty in this regard; secondly, as a permanent policy securing an effective voice in the conduct of foreign policy in return for defence aid. As regards his permanent policy, Mr. Borden took the attitude which Mr. Chamberlain had hoped that the Canadian Prime Minister would display in 1902—acceptance of the offer made upon that occasion. In the course of the most important address which he delivered while in England, Mr. Borden declared:

I would like you to remember that those who are or who become responsible for that Empire defence must, in the very nature of things, have some voice in that policy which shapes the issues of peace and of war. I would like you to understand that Canada does not propose to be an "adjunct" even of the British Empire, but, as has been well and eloquently expressed, to be a great part in a greater whole.<sup>1</sup>

In introducing his Naval Bill the Premier adopted the Imperialist position. He said:

When Great Britain no longer assumes sole responsibility for defence upon the high seas, she can no longer undertake to assume sole responsibility for, and sole control of, foreign policy which is closely, vitally and constantly associated with that defence in which the Dominions participate. It has been declared in the past and even during recent years, that responsibility for foreign policy could not be shared by Great Britain with the Dominions. In my humble opinion, adherence to such a position could have but one, and that a most disastrous, result. During my recent visit to the British Islands, I ventured on many public occasions to propound the principle that the

<sup>1</sup> At the Royal Colonial Institute dinner: July 10, 1912 (*United Empire*, vol. iii. p. 644).

great Dominions sharing in the defence of the Empire upon the high seas must necessarily be entitled to share also in the responsibility for, and control of, foreign policy. No declaration that I made was greeted more heartily and enthusiastically than this. It is satisfactory to know that to-day not only His Majesty's Ministers, but also the leaders of the opposite political party in Great Britain, have explicitly accepted the principle and have affirmed their conviction that the means by which it can be constitutionally accomplished must be sought, discovered and utilised without delay.<sup>1</sup>

He then went on to quote, by way of reiteration, the identical claim which he had made during his last session as leader of the Opposition. In view of Mr. Asquith's ultimatum to the 1911 Conference, and the *modus vivendi* agreed upon at that session, what success did the new Premier meet with in pressing his claims for Dominion participation in Imperial foreign policy? Briefly, he was unable to record any positive achievement, save in the matter of Dominion representation upon the Committee of Imperial Defence.

### *The Dominions and the Committee of Imperial Defence*

From the 1911 session of the Conference until the outbreak of the Great War, Dominion participation in Imperial foreign policy centres around the activities of the Committee of Imperial Defence.<sup>2</sup> This agency was established early in the century and had absorbed the older Colonial Defence Committee, founded in 1885 as a result of the Afghan frontier scare. Little need be added to the penetrating comments of Mr. Jebb regarding its essential characteristics.<sup>3</sup> Whereas the Imperial Conference embodied the principle of "Britannic Equality," the Committee of Imperial Defence perpetuated that of "British Ascendancy," in other words, Colonialism. In the Conference all the self-governing nations of the Empire were represented as of right, through their Prime Ministers, and each Government had one vote. The Conference determined its own organisation, procedure, and functions; moreover any member might bring any problem of Imperial relationships before it for discussion, and

<sup>1</sup> Canada, *House of Commons Debates*, session 1912-13, cols. 676-677 (December 5, 1912).

<sup>2</sup> See in this connection Cd. 2200, 3523 (pp. 83-84, 120-121), 3524 (pp. 15-17), 5273 (p. 24), 6560, 7347; also "The Committee of Imperial Defence" (*United Empire*, vol. iii. pp. 727-740).

<sup>3</sup> *The Britannic Question*, pp. 42-55.

evoke an expression of opinion on the matter. In contrast, the Committee of Imperial Defence had no definite constitution or powers. By the secrecy which shrouded its deliberations, the dominance of the British Prime Minister over all its proceedings, and the fictitious unanimity of its decisions, the Committee most nearly resembled a Cabinet conference, but it lacked the concentration of responsibility which characterised the latter.

The membership of the Committee comprised only those personally invited by the Prime Minister to attend, hence it was not fixed,<sup>1</sup> though it included in general three categories. First were certain members of the Home Government, responsible to the Prime Minister and Parliament, and it was the authority of these over the British House which gave weight to the Committee's recommendations. In addition, there were technical experts, who attended in an informative and advisory capacity, and who probably were, with few exceptions, answerable to the Home Government. Finally, there were the representatives of the Dominions. These were invited primarily to receive information from the British members, but also to inform and advise the latter in regard to Dominion matters. They were responsible to their own governments, not to that of the United Kingdom. Therein lay the anomaly in their status. Although liable to be submerged by the British representatives when a supposedly unanimous recommendation of the Committee was in process of formulation, they would nevertheless be placed in an embarrassing position at home should they subsequently advocate a policy at variance with that which appeared to bear their endorsement.

In view of its composition, the functions of the Committee of Imperial Defence could not go further than conducting investigations and making recommendations. Prior to 1908 it was concerned almost exclusively with the technical aspects of

<sup>1</sup> "Mr. HALDANE (Secretary for War): One is very familiar with the composition of the Committee of Imperial Defence, which is a skeleton or nucleus body; I always attend it, but I am not a standing member of it. It has no fixed composition, but consists merely of the people who are summoned, and, of course, if any question arose affecting any particular Colony, its representative would attend. The Prime Minister is really the mainspring of the Committee, and he summons it as he wants it.

"Sir FREDERICK BORDEN: He summons whomsoever he likes?"

"Mr. HALDANE: Whoever he likes and whoever is suitable" (Cd. 3523, p. 121). See also statement by Premier Borden in the Canadian House: December 5, 1912 (Canada, *House of Commons Debates*, session 1912-13, col. 692).

defence, but inevitably foreign relations came more and more within its purview. As Premier Borden put it: "Whilst the committee does not control policy in any way, and could not undertake to do so, as it is not responsible to Parliament, it is necessarily and constantly obliged to consider foreign policy and foreign relations for the obvious reason that defence, and especially naval defence, is inseparably connected with such considerations."<sup>1</sup>

Prior to 1907 only two matters of importance relating to the Dominions, both of them technical in nature, were undertaken by the Committee.<sup>2</sup> In 1903 certain problems relating to the defence of Canada were considered, and Sir Frederick Borden, Canadian Minister of Militia, sat as a member. In the spring of 1906 a general scheme for the local defence of Australia was prepared at the request of the Dominion government. In 1907 the question of Dominion participation in the Committee deliberations was raised in the Imperial Conference, and the resolution already referred to, endorsing this practice, was passed. The significance of this pronouncement, like that of the 1902 Conference favouring prior consultation with the Colonies regarding commercial treaties, lies in the fact that it constituted the formal adoption by the Conference as a whole of a principle which had hitherto been applied only, so to speak, as an act of grace on the part of the Mother Country. In general, the Home Government disliked matters being taken out of their hands, hence they were lukewarm towards the motion. Laurier, who opposed in principle any tendency to the communal settlement of Imperial issues, or any effort to limit the discretion of the Mother Country as well as that of the Dominions, thought it unnecessary, since consultation on local matters was already the practice. The proponents of the resolution, however, urged a definite pronouncement from the Conference upon this matter, Dr. Jameson (Cape Colony) interpreting it as the virtual assertion of a right to attend under such circumstances.<sup>3</sup>

In connection with the Imperial Conference of 1911, there occurred what Mr. Jebb characterises as an attempted *coup d'état* on the part of the British Government, a move to transfer the whole

<sup>1</sup> Statement cited *supra*, and Cd. 3524, p. 15.

<sup>2</sup> Cd. 3524, p. 15; R. Jebb, *The Imperial Conference*, vol. ii. p. 151.

<sup>3</sup> Cd. 3523, pp. 120-121; *United Empire*, vol. iii. p. 732.

field of foreign relations and defence from the jurisdiction of the Conference to that of the Committee of Imperial Defence.<sup>1</sup> Hitherto these matters had filled their regular place on the Conference agenda sheet, but in his opening address to the 1911 session, and at a subsequent sitting, Mr. Asquith proposed that "following the precedent created in 1909," they should be discussed in the Committee, not the Conference.<sup>2</sup> This was agreed to, and certain joint sessions of the Premiers and the Committee were substituted for the regular Conference meetings on those days. It appears that at these joint sittings the problems of foreign relations were more thoroughly expounded by the Home Government than heretofore. This move meant considerably extending the scope of the Committee of Imperial Defence, hence it was hailed by many as a notable advance in Imperial co-operation. Certainly the consideration at these sessions of the renewal of the Anglo-Japanese Alliance marked a significant precedent. In view of the constitution of the Committee, and the claims which the Conference had been asserting for itself, however, Mr. Jebb appears to be correct in describing it as really reactionary, as an effort to head off a disconcerting tendency on the part of the Dominions to inject themselves further into questions of foreign policy.<sup>3</sup> Nevertheless, this effort of the Home Government was only partially successful, for the Australian resolution regarding the Declaration of London had been sent in for Conference discussion, and could not be evaded. The result was the important concession which has already been described.

The actual mode of rendering Dominion representation upon the Committee of Imperial Defence effective evoked differences of opinion.<sup>4</sup> On the one hand there were Imperialists, who still hoped for the establishment of an Imperial council, and as a step

<sup>1</sup> *The Britannic Question*, pp. 41-50.

<sup>2</sup> Cd. 5745, pp. 23, 33. The Defence Conference of 1909, however, was, strictly speaking, a "Subsidiary Conference," regularly provided for by Resolution I of 1907, not a session of the Committee of Imperial Defence.

<sup>3</sup> Although Sir Edward Grey's statement on foreign relations may, as Mr. Asquith claimed, have opened the "arcana imperii" to the Premiers "without any kind of reservation or qualification," this was plainly announced to be for the purpose of securing Dominion assent to the Home Government's policies, not as the prelude to the co-operative formulation of policies by those present. See Premier Baldwin's pointed comment on subsequent evolution in this respect to the 1926 Conference (Cmd. 2769, pp. 7-8, and *infra*, ch. x).

<sup>4</sup> See Cd. 6560 (Colonial Secretary's despatch of December 10, 1912) and Cd. 7347 (correspondence on the same subject, including replies of Dominion governments to Cd. 6560).

towards this, aimed at standing membership, or as continuous representation as possible. On the other hand there were Nationalists who opposed any such tendency, and stood for decentralising even the discussion of defence between the Mother Country and the Dominions. Furthermore, there were the ever-present factors of distance, which affected especially the Antipodean Ministers, and the difficulty of releasing responsible members of Dominion governments from their parliamentary duties at home. The problem was discussed at a meeting of the Committee and the Premiers on May 30, 1911, and a compromise was adopted. Sir Joseph Ward had proposed to the Conference that the Dominion High Commissioners should be summoned to attend when matters relating to their countries were under discussion. It was unanimously decided, however, that representation by responsible Ministers was preferable, and that one or more of these "appointed by the respective governments of the Dominions, should be invited to attend meetings of the Committee of Imperial Defence when questions of naval and military defence affecting the oversea Dominions are under consideration." The Conference also accepted in principle the establishment of local Defence Committees in each Dominion, the constitution of these to be determined by their several governments.<sup>1</sup>

As Mr. Borden, of course, was unaware of these proceedings when he assumed office, the British Government informed him of the resolutions in the course of his conversations with them. The Canadian Premier agreed to the suggested mode of representation. Accordingly, after the session of Parliament and the naval debate were over, Hon. J. D. Hazen, his Minister of Naval Affairs, visited London in the autumn of 1912 to confer again with the Imperial authorities. Moreover, two other Canadian Ministers, Hon. W. T. White and Hon. Martin Burrell, attended a meeting of the Committee in August 1913. The attitude of the other Dominions is expressed in the replies to Mr. Harcourt's despatch of December 10, 1912, outlining the proposed basis of representation. New Zealand pronounced against a permanent appointment to the Committee, but favoured inviting to its sessions such accredited members of the Dominion government as might from time to time visit London. In December 1912 their

<sup>1</sup> Cd. 6560, p. 2.

Minister of Defence, Colonel Allen, went expressly to consult with the Admiralty. The South African Government deprecated any alteration of existing machinery, and considered representation through a Minister permanently resident in London impracticable. They approved consultation with the Dominions on questions of foreign policy which affected them individually, by correspondence, or preferably by a visit of the Prime Minister or one of his colleagues to London for that purpose. Newfoundland also favoured the latter course. Australia not only disapproved of a permanent appointment to the Committee, but pronounced it impossible for any Commonwealth Minister to journey to England during the coming year. Rather they suggested the holding of a subsidiary Defence Conference during 1913 in Australia, or if more convenient, in New Zealand, South Africa, or Vancouver (Canada).

The tenor of these replies, it will be observed, favoured individual consultation between the Dominions and the Home Government whenever practicable. Partly from suspicion of the Imperial federation bogey, and partly from the difficulty of maintaining responsible contact with colleagues at home, the principle of standing representation on the Committee by resident Dominion Ministers was also frowned upon. Thus the problem of Dominion representation upon the Committee of Imperial defence was settled in accordance with the wishes of the several governments. Although marked by a high degree of decentralisation this appeared, for the time being at least, to be the most effective mode of co-operation between Dominions and Mother Country possible under the circumstances. It was upon the status of the Dominion members in that Committee, however, that the vindication of Mr. Borden's claim to an effective voice in the shaping of Imperial foreign policies depended, and in this respect he was hardly successful.

Mr. Harcourt has left us the following report of the Canadian Premier's efforts in this regard :

Mr. Asquith and I had, subsequently, several private conversations with him, at which he expressed the desire that the Canadian and other Dominion Ministers who might be in London as members of the Committee of Imperial Defence should receive, in confidence, knowledge of the policy and proceedings of the Imperial government in foreign and other affairs. We pointed out to him that the Committee of Imperial Defence is a purely advisory body and is not, and cannot

under any circumstances become, a body deciding on policy, which is and must remain the sole prerogative of the Cabinet, subject to the support of the House of Commons. But, at the same time we assured him that any Dominion Minister resident here would at all times have free and full access to the Prime Minister, the Foreign Secretary, and the Colonial Secretary for information on all questions of Imperial policy.

It will be noted that it was an opportunity of securing *information* which was to be afforded Mr. Borden at these meetings. Mr. Harcourt went on to quote from a recent public utterance of his, regarding the wider aspects of the subject :

There is, on the part of Canadian Ministers and people, a natural and laudable desire for a greater measure of consultation and co-operation with us in the future than they have had in the past. This is not intended to, and it need not, open up those difficult problems of Imperial federation which, seeming to entail questions of taxation and representation, have made that policy for many years a dead issue. But, speaking for myself, I see no obstacle, and certainly no objection, to the Governments of all the Dominions being given at once a larger share in the executive direction in matters of defence and in personal consultation and co-operation with individual British Ministers whose duty it is to frame policy here. I should welcome a more continuous representation of Dominion Ministers, if they wish it, upon the Committee of Imperial Defence ; we should all be glad if a member or members of those Cabinets could be annually in London. The door of fellowship and friendship is always open to them and we require no formalities of an Imperial Conference for the continuity of Imperial confidence.<sup>1</sup>

This position was perforce accepted, albeit somewhat optimistically interpreted, by Mr. Borden in introducing the Naval Bill after his return to Canada. He had, he reported, numerous conferences with the British Ministers and their technical advisers, "who took us most fully into their confidence on the great questions of foreign policy and of defence, and who accorded us all relevant information at their disposal." <sup>2</sup>

The Home Government was still determined upon retaining authority within their own hands, acting through a Committee of Imperial Defence upon which the Dominions were represented, but which was, so to speak, "packed" with British official members. As Sir Edward Grey put it :

<sup>1</sup> Cd. 6560, pp. 2-3.

<sup>2</sup> Canada, *House of Commons Debates*, session 1912-13, col. 678 ; cf. Ewart, *Kingdom Papers*, No. 15.



We cannot share our responsibility. Of course the value of the Committee of Defence is this : the Committee of Defence being in existence, the Government, although responsibility for whatever decision is come to rests with it alone, does not come to decisions on questions of this nature without there having been previous consultation with the Committee of Defence, and without having before them the view of the Committee of Defence on the question. So far there has not arisen any case of the decision of the Government being at variance with the previous resolution come to by the Committee of Defence. It is not impossible there should be in future such variance, but I do not think it is probable because there are so many members of the Cabinet present at the Committee of Defence that any decision of the Committee of Defence must, at any rate, come before the Cabinet backed with the recommendation of several Cabinet Ministers ; and in the next place, the Committee of Defence, though it has no responsibility and no power to supervise policy, a body which contains experts and Cabinet Ministers sitting together is no doubt a body which, though purely consultative, will carry such weight that I think it is very unlikely that the Government would overrule or reverse on an important matter the opinion which had been expressed by the Committee of Defence, including several of its own members.<sup>1</sup>

The actual procedure at the Committee sessions of 1911, at which the Dominion Premiers were present, has been described by Mr. Asquith in carefully chosen language :

There is no reason, however, why I should not indicate to the Committee and the country generally an outline of our proceedings on that occasion. First of all, we had a *statement* from . . . the Secretary of State for Foreign Affairs on the general course and direction of our foreign policy. He spoke with the greatest frankness and freedom in the presence of these Prime Ministers of the various Dominions of our relations with other Powers, and *disclosed* to them with a candour and fullness which would have been impossible in official or written communications exactly what our relations were with each of the various European and other Powers, and how far those relations affect, and must affect, our naval and military situation. That was followed by a *statement*, equally full and frank, from the then First Lord of the Admiralty in regard to naval policy, and by one from the Secretary of State for War in regard to military policy. We *discussed* upon those occasions the co-operation of the naval forces of the United Kingdom with those of the Dominions ; the status of the Dominion fleets, the flag to be flown by them, and the representation of the Dominions on the Committee of Imperial Defence ; the possibility of their setting up, each of them in their own Dominions, some corresponding body to which strategic questions, naval and military in their relation, might be referred.<sup>2</sup>

<sup>1</sup> Quoted in *United Empire*, vol. iii. p. 738.

<sup>2</sup> *Ibid.* pp. 735-736.

The rôle of the Dominion Premiers at these meetings may be deduced from this statement. They were there, essentially, to be accorded *information* as to the reasons why defence aid was sought.<sup>1</sup> This information was "disclosed" in "statements" by the Foreign Secretary and First Lord, and appears from subsequent testimony to have been very complete. The problems "discussed," however, were distinctly subsidiary; clearly the purpose of these conferences was not the formulation of decisions upon issues of foreign policy. Neither do the events of the three years following reveal any greater share on the part of the Dominions in their determination.

Considering the Nationalistic developments of the preceding decade, such a situation is not surprising. The *modus vivendi* was still Colonialistic, with the lines of development tending towards Nationalism rather than Imperialism.<sup>2</sup> Nevertheless even Nationalists admitted that in view of the interdependence of the Empire, some degree of co-operation was essential, and that the Committee of Imperial Defence presented an admirable compromise agency through which this co-operation was made possible. Contrasted with the situation a dozen years back, progress had been truly remarkable, and sincere testimony to the value of the Committee came from responsible leaders of divergent schools of thought.

In reporting on his mission Mr. Borden hopefully claimed that :

I am assured by His Majesty's Government that, pending a final solution of the question of voice and influence, they would welcome the presence in London of a Canadian Minister during the whole or a portion of each year. Such Minister would be regularly summoned to all meetings of the Committee of Imperial Defence and be regarded as one of its permanent members. No important step in foreign policy would be undertaken without consultation with such repre-

<sup>1</sup> "It was not pretended that the Dominions were being consulted on the question of Imperial policy. They were merely informed of the situation, as it appeared to the British Cabinet; so that, if they were willing, they should understand how they might best further Imperial interests" (H. E. Egerton in *United Empire*, vol. vi. p. 427; see also "The Committee of Imperial Defence," *ibid.* vol. iii. at pp. 735-736).

<sup>2</sup> *United Empire*, for instance, sees Nationalistic implications in Mr. Borden's statements: "It may be significant that, on the eve of his return, Mr. Borden thus describes the object of his visit as that of obtaining information, not receiving advice; the implication being that Canadian policy is a matter to be determined in Canada" (Editorial note, October 1912, *ibid.* vol. iii. p. 779).

sentative of Canada. This means a very marked advance both from our standpoint and from that of the United Kingdom. It would give us the opportunity of consultation, and therefore influence which we have hitherto not possessed. The conclusions and declarations of Great Britain in respect of foreign relations could not fail to be strengthened by the knowledge that such consultation and co-operation with the overseas Dominions had become an accomplished fact.<sup>1</sup>

Mr. Asquith made the following tribute :

I do not think it is possible to exaggerate, in the necessarily loose and informal development of our constitutional arrangements, as an Imperial Power, the value of a body like this which from time to time . . . gives the statesmen of the Dominions and the statesmen of the Mother Country a meeting ground on which they can exchange with the fullest confidence their respective views, experiences and knowledge in regard to those matters which we growingly feel affect not only the Mother Country, but the Dominions as much as ourselves.<sup>2</sup>

On his return from the meetings of 1911 General Botha said :

I am profoundly impressed with the confidence shown by the Imperial Government in freely laying before us the problems of foreign policy as they may affect the Dominions. This of itself is a most important step in the growth of Imperial relations, and is in reality the beginning of a new era in the history of the Empire. For the first time we now realise in a way we could not before the questions which occupy the attentions of the Home Government, and in what way and to what extent they influence the outlying parts of the Empire.<sup>3</sup>

The more Imperialistic Minister of Defence of New Zealand, Colonel James Allen, testified regarding his visit in 1912 :

I should have found it an extremely difficult thing to settle with the Admiralty alone the policy of New Zealand with regard to naval defence. When it did come down to the Committee of Imperial Defence, when the Prime Minister could hear what both sides had to say, and the rest of the Committee could hear what both sides had to say, I found no difficulty. . . . If we statesmen can be invited by the Prime Minister to come from our various Dominions to attend that Committee of Imperial Defence, . . . if we can present our case to a favourable tribunal, as I believe the Committee of Imperial Defence is to us, then I have no hesitation in saying that we are going very fast indeed along the road which will lead to unity of Empire.<sup>4</sup>

<sup>1</sup> Canada, *House of Commons Debates*, session 1912-13, cols. 692-693 (December 5, 1912).

<sup>2</sup> Quoted in *United Empire*, vol. iii. p. 736.

<sup>3</sup> Statement to the Press, quoted in *Round Table*, vol. i. p. 516.

<sup>4</sup> To the Empire Club, Toronto (May 6, 1913); *Empire Club Speeches* (1912-13), pp. 228-229.

## CHAPTER V

### THE ORGANISATION OF THE BRITISH COMMONWEALTH

ALTHOUGH our perspective is as yet short, we may safely conclude that the Great War marks a much less distinct epoch in the evolution of the Empire than was at first anticipated. Certainly it failed to precipitate a revolution in the relations of the Dominions and the Mother Country. True, it did force an Imperial stock-taking. The situation in which the Dominions found themselves in relation to world politics brought matters to a head. Prior discussions of the question had merely effected a compromise which postponed the real issue. Save to a comparatively small group of Imperialists, the need of a settlement had not seemed imminent, and popular interest in the subject had been pathetically weak. Although these problems had for a generation been matters of controversy within an interested circle, they now assumed the front stage with every appearance of novelty. But the ground upon which settlements were to be based had already been prepared. The unprecedented effort of the Dominions, and the astounding unity of spirit throughout the Empire *as regards the main issue—winning the War*, inspired a resurrection of the Imperialist programme, but this was no new movement. Nationalism, too, received a parallel stimulus, but the mantle of Laurier had fallen upon younger shoulders. It is only by delving back into the earlier history of the question, as has been attempted in our previous chapters, that one comes to realise how little there has been that is really new in post-war discussions of Imperial foreign relationships, how much has been merely clarification for popular acceptance, and application to the specific issue, of principles already formulated, and already in operation as regards other phases of the Britannic Question. The Great War and its aftermath served merely to concentrate attention upon the problems involved, and to accelerate their development.

*The War and the Renaissance of Imperialism*

After the very definite reception accorded Sir Joseph Ward's proposal in 1911 Imperial federation might well have been considered a dead issue, at least as far as practical politics was concerned. The advent of the Great War, however, threw the Empire into the melting pot. Imperialists' anticipation rose to a degree never before reached, and they entered upon the most concerted campaign for the achievement of their programme which they had ever attempted. They believed that the War had vindicated all their arguments, and created a situation more favourable to the reception of their schemes than had existed at any time heretofore. Furthermore, though they dared not discuss the alternative, disruption, they recognised that a turning point had been reached, that the Empire was, as Basil Worsfold put it, "on the anvil,"<sup>1</sup> and that they must strike while the iron was hot. Preparations for settlement must not be postponed even until the end of the War. Getting well under way by the beginning of 1916, they attacked simultaneously on all fronts and with the highest hopes. Altering their strategy, however, in face of unwelcome revelations of the true situation, Imperial federation was first abandoned, finally even the hope of continuous co-operation in the conduct of foreign affairs. Meanwhile the economic side was more and more stressed, until Imperialism seemed well-nigh to have lost its traditional content. In relation to the Dominions it was now merely Co-operationism; as regards the Colonies and other dependencies it had become the neo-Colonialism already mentioned, which was devoted to the exploitation of backward regions primarily in the Mother Country's interests and to economic rivalry with other imperialistic Powers.<sup>2</sup>

There was much, indeed, to justify this early Imperialist optimism. Just prior to the outbreak, disunion seemed to be uppermost. The issue of Canada's part in Imperial defence had reached a deadlock tantamount to the adoption of a policy of non-participation—nay, further, a project of commercial reciprocity with the United States had even been espoused by the

<sup>1</sup> *The Empire on the Anvil* (1916).

<sup>2</sup> The panorama of the rise and ebb of war-time Imperialism and its later transformation is perhaps most conveniently revealed in the files of *United Empire* during these years. Compare also the war issues of *The Round Table* (e.g. "The Growing Necessity for Constitutional Reform," December 1916) with the striking change of policy announced in the issue of December 1920.

erstwhile Government. Serious sectionalism on the part of national minorities in Canada and South Africa was manifest ; in Ireland and Ulster there were threats of civil war. The declaration of hostilities, however, evoked an enthusiasm, a sense of unity, even in the danger centres themselves, which routed the pessimists and made Imperialists believe that the sentiment for Imperial unity was actually stronger than they had suspected, that their programme was what the peoples of the Empire really had at heart, that the setbacks which had been encountered of recent years were after all expressions of superficial opinion only. In addition to developing what seemed to be an unprecedented sentiment for Imperial unity, the exigencies of the War appeared to be demolishing what had hitherto been the chief obstacles to Imperialism. Mutual sympathy and understanding among men collected for a common purpose from all corners of the Empire were promoted by the educative influence of every week's experiences. The interdependence of the Empire and the vital need of co-operation in defence had been impressed upon everyone. Revelations of German economic penetration, the demonstrated need of artificial control of economic life in war-time, and the habituation to governmental regulation appeared to be jolting people out of accustomed grooves in thought and action. This seemed to presage the rout of Manchesterism and the attainment of the economic aspects of Imperial unity.

On the constitutional side the prospect seemed equally inviting. The significant thing, to the Imperialist's way of thinking, was the fact that the anomalies in Imperial organisation were at length being publicly admitted and the necessity of a definitive settlement being recognised. It was thought especially noteworthy that admissions to this effect were emanating from Cabinet Ministers in the Mother Country as well as from the Dominions. That these could presage any other outcome than federation few Imperialists allowed themselves to consider. The following is a typical analysis of the outlook :

The fact is that the organic union of the Empire has already, because of the War, and the mighty efforts it has called forth on the part of all the British peoples, entered the region of what is known as "practical politics." If you glance at the notes in the April number of the Journal, you will find collected together the utterances of various leading statesmen, including Mr. Hughes, of whose recovery from his

recent illness we have all been glad to hear, and no less than three British Cabinet Ministers—Mr. Balfour, Mr. Bonar Law, and Mr. Samuel. All of these distinctly foreshadow the necessity of some reconstruction of the Imperial fabric when the War is over, and the great stocktaking of our common resources, naval, military, financial, and industrial, takes place. The mind of the Empire has begun to move on this subject, and when the people have shown what is their will, we may be certain that the politicians will find the way.<sup>1</sup>

Others were still more evangelical :

The aftermath of Armageddon will not be an instance of history repeating itself. With a sense of reverence and awe we await the birth—or, perhaps it would be more exact to say, the gradual evolution—of a new order of things, which will bring in its train new responsibilities, new possibilities, new problems, and new destinies. To these issues, and to the new problems of Empire in particular, it may no longer be premature to devote some attention ; for it has become obvious that their urgency is now apparent to the man in the street, who has been awakened, by untoward events, to a new consciousness of the meaning of Empire. This Imperial consciousness may easily become the greatest force created by the War, far exceeding in its importance and effect the fall of dynasties, the defeat of military powers and the alterations of frontiers. Compared with the results which this new impetus to Empire may accomplish, these are the achievements of a moment. . . . The political school which openly sought to achieve separation is dead, or, at all events, negligible. Men of all classes and political creeds are now looking eagerly forward to the foundation of a true Imperial parliament which will be representative of the Empire. Whether or not we can proceed at once to the full accomplishment of this ideal is still a debatable question. Opinion may be divided on points of method and degree, but the aim is held almost unanimously.<sup>2</sup>

More realistic commentators on the situation were at first criticised for their lack of faith. When Professor Keith's "Imperial Unity and the Dominions" was reviewed in *United Empire*, for example, he was berated for his lack of hope for Imperial federation, his belief the Dominions were not vitally concerned with participation in foreign policy, and his under-estimation of the force of the European War in cutting through the obstacles to Imperial unity.<sup>3</sup>

<sup>1</sup> Sir H. Wilson, "The Integration of the Empire": April 18, 1916 (*United Empire*, vol. vii. at p. 668).

<sup>2</sup> Wm. Lang, "The Empire and Armageddon" (*ibid.* pp. 123-124).

<sup>3</sup> *Ibid.* pp. 538-541. See also, for instances, the criticisms from the floor during discussion of the less optimistic addresses to the Royal Colonial Institute, e.g. of Sir L. Phillip's "South Africa and the Empire Problem": June 20, 1916 (*ibid.* pp. 528-529).

Unfortunately for the Imperialists, most of the data upon which they based their hopes was susceptible of more than one interpretation. In the first place, the astounding war enthusiasm of the Dominions might in truth be the manifestation of genuine Imperialist loyalty to the Empire in its hour of need, or even a Colonialist effort to help out the Mother Country. On the other hand, however, it might be the rallying of Nationalists to that common point which was vital for the defence of their own homelands—an alternative which does not seem to have been considered. As a matter of fact, few phenomena of modern political life have been at the time so confused and subjected to diverse interpretation as have the circumstances attending Dominion participation in this conflict.<sup>1</sup> As far as the Mother Country was concerned, the action of the Dominions was purely voluntary. The coercion arose entirely out of the circumstances in which they were placed, for no other course lay open to them. More than the United Kingdom was in peril; not merely the fate of the Empire, but the very national existence of every one of its parts was at stake. Added to these elemental considerations was the pathetic hope that if the chief exponent of international anarchy were eliminated, no substitute would take its place, and a better world might be produced. These circumstances resulted in a diversity and admixture of motives for participation in the struggle. The Colonialist sprang to the aid of the Mother Country in her hour of need; the Imperialist saw the greatest Empire of all time facing either extinction or a still more glorious morrow; the Nationalist trembled for his own fireside, and vowed that if he survived this ordeal, future quarrels would be of his own making. Just as in the case of the South African War, all three motives were operative, but now they were sharply distinguished; their exponents had clearly defined reasons for asserting them.

Failure to realise the complexity of the Dominions' reaction led to faulty analyses of the situation, and erroneous forecasts which roused Imperialist hopes to a degree which made early disillusionment inevitable. Dominion statesmen took pains to emphasise in measured phrases what the rank and file of the overseas contingents were profanely eager to impress upon the people of the United Kingdom—that expressions of gratitude

<sup>1</sup> This was especially true as regards American opinion.



for assistance rendered were entirely superfluous, because the Dominions had not entered the conflict in order "to help out the Mother Country."<sup>1</sup> The negative aspect of such assertions was understood and heartily endorsed, but not their positive implication, for the typical Imperialist understanding of Dominion war effort insisted that :

'The Dominions across the seas were quick to perceive that the War was one of self-defence for the British Empire. There was, and is, no question of "helping" Great Britain, it is the defence of the Empire as a whole which is at stake, and the battlefields on which that question is to be decided are the North Sea and the plains of Belgium and northern France.'<sup>2</sup>

In short they believed that their great desideratum—the rousing of a truly Empire-wide patriotism—had actually been achieved, whereas in actual fact nothing had so stimulated Dominion

<sup>1</sup> One instance which was striking, but typical, occurred at the meeting of the Royal Colonial Institute on February 23, 1915. The speaker of the evening enunciated the English Colonialist view, and during the ensuing discussion the three Dominion spokesmen present hastened to controvert him. Sir George Perley, Acting High Commissioner for Canada said :

"It is said by some that the self-governing Dominions have come to the assistance of the Home Country in the hour of trial. Personally, we do not like that way of putting it. As a matter of fact, Canada is in this War because she is a part of the British Empire, and because that Empire has been attacked. We are in this War to protect ourselves as well as to do our share as your loyal comrades. . . . In this struggle against German militarism, we are fighting our own battle as well as yours."

Hon. W. P. Schreiner, High Commissioner for South Africa, was more Nationalist in emphasis :

"I do not want the idea to go forward that the rest of the Empire has come in any spirit of alarm as to the ultimate issue to take part in the Mother Country's battle. The Daughter States have flown to the assistance of the Mother Country because they feel it is their job, and because they are in it too. The outlying parts of the Empire are almost more concerned in victory in this great struggle than this part of the world itself. I speak as a South African and shall address myself to the South African point of view."

Hon. H. K. Bishop, for Newfoundland, also endorsed the view that the Dominions were fighting their own battle rather than that of the Mother Country, and concluded :

"It would be easy to argue that the results of the War, should we be unsuccessful, would be much more disastrous to the oversea portions of the Empire than to the Home Land : so it was not helping the Old Land merely, but demanding that we shall all have a chance to do our part in maintaining the traditions of the Union Jack."

—*United Empire*, vol. vi. pp. 285-298. See also report of Sir George Perley's address, May 23, 1919 (*ibid.* vol. x. at p. 349) ; Prof. Wrong in *Canadian Historical Review*, vol. i. at p. 9 ; Sir Robert Borden to the 1917 Imperial War Conference, Cd. 8566, p. 41 (contrast Mr. Massey's statement, *ibid.* p. 45) ; also articles from the Dominions in the War issues of *The Round Table*.

<sup>2</sup> *United Empire*, vol. v. p. 687 (September 1914).

Nationalism as the events of those five momentous years. The aloofness of the extreme Nationalists, who maintained that the Dominions had no part in the quarrel, that they were in no danger whatever, and if they were, defence activities should be confined within their own boundaries could, of course, be easily distinguished, and was not representative of Dominion opinion. The error lay in assuming that, as regards the predominant opinion, which was all enthusiasm for the War, the motive of self-defence was identical with that of Imperial solidarity.

That intensification of Nationalism which so characterised the political aspect of the Great War affected the nations within the Empire as well as those without it. The continuous assertion of self-determination for the oppressed countries of central Europe had a most significant reflex in Ireland, French Canada and South Africa, and made the Dominions in general feel that they were as entitled to assert themselves as were these other small nations.<sup>1</sup> The predominant factor, however, was probably that limitation of the average citizen's contacts and outlook which has already been suggested as the great, continuing obstacle to Imperialism. The Dominions were scattered, and their peoples tended to become occupied with their own particular peril. The theatre of operations, where co-operation on a large scale was conspicuous, was far removed from their vision. All that the inhabitants of each Dominion actually saw was their own contribution to the common cause and this soon assumed a national character. To the dweller overseas, the Imperial was no more vivid than the Allied aspect of co-operation. As the struggle continued, the Dominions tended more and more to rely upon their own resources, which still further promoted the growth of national feeling.

More serious still was the Imperialist's misinterpretation of utterances relating to the future conduct of Imperial foreign affairs. They remembered Laurier's alleged pronouncement in

<sup>1</sup> The reaction of the more Anglophile section of French Canada was strikingly expressed by Hon. R. Lemieux at a mass meeting on McGill University campus (August 4, 1915) when he said: "I have one word to say: I am a Canadian of French descent. Eight of my ancestors sleep out there, yonder, in the vale of Mount Royal, but French Canadian as I am, I am proud of my British citizenship. I feel that I, too, belong to one of those small nationalities referred to in Mr. Asquith's weighty words and, during the present crisis, I cling the more to the flag which protects my rights and has protected the rights of my forefathers."—Quoted in *Canadian Annual Review* (1915), p. 279.

1902, "if you want our aid, call us to your councils," and Asquith's pointed refusal in 1911, "that authority cannot be shared." They had Mr. Borden's subsequent utterances in mind. On the basis of their statements, one would judge that the Imperialists failed to realise how much water had run under the bridge since the century opened, that they assumed the original Dominion offer (so-called) was still open, and that once the British Government could be persuaded to recede from its stand, Imperial federation would follow as a matter of course. Hence, when Dominion spokesmen made statements to the general effect that never again was the Empire to be plunged into war under circumstances such as had attended this one, that a thorough consideration of the constitutional relationships of the Empire was essential, and when British Cabinet members endorsed at least the second of these contentions, Imperialists triumphantly proclaimed that Imperial federation had at last entered the arena of practical politics and was all but assured. If they realised that most of these pronouncements from the Dominions were extremely cryptic, that they merely registered a repudiation of Colonialism in the sphere of foreign relations, and might as well presage a Nationalistic demand for complete autonomy as what Imperialists professed to see in them, they refused to entertain so alarming an alternative.

It seemed, too, that this optimism was justified by certain definite and momentous steps in the direction in which Imperialists desired. True they met with a set-back at the very outset in the postponement of the regular Imperial Conference session due to convene in 1915, but this was not regarded as significant. Worthy of mention was the first official recognition of "Empire Day" in the United Kingdom, May 24, 1916.<sup>1</sup> Of far more importance was the growing movement to admit the Dominions to full participation in the eventual peace settlement.<sup>2</sup> Above all, there was the establishment of the Imperial War Cabinet in March 1917. When the significance which Imperialists attached to the mere title "Council" during the 1907 discussion is recalled, we may appreciate their satisfaction at this new development. They hailed the creation of this agency for the better conduct of the War as an unprecedented constitutional achievement, as the taking of that vital first step which had been urged unsuccessfully

<sup>1</sup> *United Empire*, vol. vii. p. 373 (Editorial note).

<sup>2</sup> *Infra*, ch. vi.

by Joseph Chamberlain and by all Federationists who had followed him. At a single stroke the Imperial council for which they had so long been striving seemed to have been attained. The following comment is a characteristic expression of what Imperialists hoped from the new institution :

The War Cabinet is the Executive of the Empire, responsible for the conduct of the War, for questions of foreign policy, for the settlement of terms of peace, and for decisions in regard to a number of problems which will overlap both stages, war and peace. The ease with which the innovation has been brought about, and what may be termed the obviousness of the step tend to obscure its significance. This fact, however, may prove a useful asset ; for, by the time the War is over, the principle involved in the presence of representatives of the Dominions and India in the War Cabinet will, by the very unobtrusiveness with which it has been established, have become such a familiar landmark, as it were, in the British Constitution that it will be impossible to dispense with it for the future in one form or another. Meanwhile, the Imperial War Conference, as distinct from the War Cabinet, is also holding regular sittings, to deal with a variety of subjects outside the scope of the latter.<sup>1</sup>

Unfortunately for the Imperialist cause, the constitutional progress was much over-estimated and the claims made regarding the Imperial War Cabinet as distinctly far-fetched as they had been in the case of what is in many respects its counterpart, the Committee of Imperial Defence—facts which certain more penetrating observers hastened to point out.<sup>2</sup> The British War Government was anomalous and temporary. For the duration of the emergency, the Parliament of the United Kingdom had delegated to the British Cabinet wide authority to govern by Order-in-Council, and the elastic constitution of the Privy Council had permitted the addition of outsiders from the Dominions to its membership and even to participation in the settlement of domestic questions of the United Kingdom. Not a scrap of effective authority, however, could be exercised by it over the Dominion governments. It was not, on the one hand, “ nothing else than the old Imperial Conference in a new and more executive guise,” nor was it, on the other hand, “ the Executive of the Empire.” It was merely an enlarged Cabinet of the United

<sup>1</sup> *United Empire*, vol. viii. p. 204, Editorial note (April 1917).

<sup>2</sup> Again Mr. Jebb furnishes the most satisfactory analysis ; see *ibid.* vol. viii. p. 341, and “ Conference or Cabinet ? ” (*ibid.* vol. xi. pp. 164-167). See also Prof. Keith's letter (*ibid.* vol. xii. pp. 467-468) and some Editorial comment at pp. 314-315, 396-397.

Kingdom, such influence over the Outer Empire as it possessed being derived merely from the status of the Dominion Premiers who were included in its membership. Hence its powers were greater than those of the Imperial Conference only to the extent to which the various parliaments of the Empire had for the time being surrendered their powers to their respective Prime Ministers. The gradual return to normal conditions was soon to prove the truth of these contentions.<sup>1</sup>

The exaggerated importance attributed to this agency appears to have been derived from its seeming combination of representative character and coercive authority, whereas in fact the degree of attainment of the one was the measure of the negation of the other—the more representative it was of the Empire, the less qualified was it to act as executive of the United Kingdom; conversely, the more strictly its membership conformed to that of a British Cabinet, the less influence could it have over the Dominions. Nor could it, under any approximation to normal conditions, rival the status of the Imperial Conference. Whereas the Imperial Conference determined its own composition and functions, the Imperial War Cabinet, despite its *ex officio* features, was after all the creature of the British Premier. The one profited far less from its possession of legally coercive authority than did the other from the political prestige and influence pertaining to a body composed of the equal heads of autonomous governments. The Imperial War Cabinet was undoubtedly an interesting and significant innovation, but of a constitutional importance in no way commensurate with the attention it received. Its significance lies entirely in demonstrating the effectiveness with which the existing British Constitution can meet any governmental emergency, not in any alteration which that Constitution underwent, Imperialist claims to the contrary notwithstanding. Imperialists rightly hailed it, however, as politically a great step in advance for the Dominions. The mere exigencies of co-operative effort in the War would probably have necessitated this in any case, but the Home Government was now more quick to grasp the purport of Dominion wishes.<sup>2</sup>

<sup>1</sup> The Imperial War Cabinet must not, of course, be confused with the British Empire Delegation, of which more anon.

<sup>2</sup> Professor Keith has drawn attention to the unprecedented character of the privilege accorded Dominion Ministers in admission to meetings of the British Cabinet: "It is a privilege not accorded to Lord Onslow when

*A Decade of Constitutional Progress*

As was pointed out in an earlier chapter, very definite and positive steps towards the organisation of the Empire on the lines of a confederacy had been taken at the pre-War sessions of the Imperial Conference, culminating in Resolution I of 1907. The fact that this agency again vindicated its title to be the source of authoritative pronouncements upon Britannic relations, despite the existence of the Imperial War Cabinet, is a further commentary on the claims made for the latter institution.<sup>1</sup> The revived agitation for Imperial federation had now attained such proportions that an official statement from the Conference had become necessary. This was embodied in "Resolution IX," adopted unanimously at the 1917 session, and which affirmed :

The Imperial War Conference are of opinion that the readjustment of the constitutional relations of the component parts of the Empire is too important and intricate a subject to be dealt with during the War, and that it should form the subject of a special Imperial Conference to be summoned as soon as possible after the cessation of hostilities.

They deem it their duty, however, to place on record their view that any such readjustment, while thoroughly preserving all existing powers of self-government and complete control of domestic affairs, should be based upon a full recognition of the Dominions as autonomous nations of an Imperial Commonwealth, and of India as an important portion of the same, should recognise the right of the Dominions and India to an adequate voice in foreign policy and in foreign relations, and should provide effective arrangements for continuous consultation in all important matters of common Imperial concern, and for such necessary concerted action, founded on consultation, as the several Governments may determine.<sup>2</sup>

Presumably the purport of what had been set forth in 1907 had been forgotten, for this resolution has been acclaimed, especially by Nationalists, as the declaration defining post-War relationships, the charter upon which the new status of the

acting in lieu of the Secretary of State during the visit of Mr. Chamberlain to the South African Colonies ; when his opinion was desired on Colonial matters it could not be given and discussed by him in the Cabinet, but only to some members of the Government who could repeat it in Cabinet."—*Imperial Unity and the Dominions*, p. 545.

<sup>1</sup> Although the regular quadrennial session of the Conference, due in 1915, had been postponed, it convened in 1917 and again in 1918 under the title "Imperial War Conference." Resolution IX of 1917, the admission of India to membership in the Conference, and the decision of 1918 regarding channels of communication attest the importance and official character of these sessions.

<sup>2</sup> Cd. 8566, p. 61.

Dominions rests. On the face of it, however, Sir Robert Borden's resolution is by no means definitive and, considered in the light of the attendant discussion, is seen to be a compromise which left the issue still open. It recognised the necessity of a conclusive settlement, upon which all were agreed, but postponed this until the termination of hostilities. Postponement under such circumstances, it is true, was distinctly to the detriment of the Imperialist cause. Yet Nationalists and Imperialists could draw equal comfort from the statement of principle which followed, since it was merely a denunciation of Colonialism in which all concurred and failed to commit the Empire to either alternative solution. On the one hand, although the reaffirmation of Dominion self-government in domestic matters did not pretend to define the latter and in fact went no further than did the 1907 settlement, the use of the word "nations" to describe the Dominions certainly implied the equal status of the members of a confederacy rather than of the states in a federal union, and hence, as General Smuts asserted, the precluding of the latter outcome. On the other hand, the latter part of the statement had a distinctly Imperialistic ring. Assurance of an "adequate" voice in foreign affairs was as non-committal as might be, both as to degree and mode of attainment, but it was immediately coupled with the injunction that machinery for continuous consultation should be devised and action should be *concerted*, which was all that an Imperialist could ask in a declaration of principle.

Thus Resolution IX of 1917 was an amazingly skilful enunciation of principles, but could not, under the circumstances, embody concrete suggestions as to how these principles were to be reconciled and made effective. In three respects it marked an advance, formal at least, on what had been achieved prior to the War—the characterisation of the Dominions as "autonomous nations of an Imperial Commonwealth," the repudiation of Colonialism in foreign relations, and the endorsement of collective activity in the future. Naturally varying emphasis would be accorded by the different schools of thought to its several features, and that which was best justified by events would come to be regarded as the general purport of the whole pronouncement. Of the three propositions, accordingly, that which has given title to the resolution to stand as a landmark in constitutional

development is its explicit assertion of Britannic equality. The reason has been that, since the Nationalists' understanding of "Imperialism" was re-establishment of government of, by, and for Downing Street, such an assertion was interpreted to mean the definitive rejection of the Imperialist solution by the Conference. So, too, of the several interpretations of the resolutions offered by the Premiers in the Conference, that by General Smuts best expressed its ultimate significance. He took it to be essentially a reaffirmation of the principles of Imperial relationships and development which they had long since endorsed, when he said :

The idea of a future Imperial Parliament and a future Imperial Executive is negated by implication by the terms of this resolution. The idea on which this resolution is based is rather that the Empire would develop on the lines upon which it has developed hitherto, that there would be more freedom and more equality in all its constituent parts ; that they will continue to legislate for themselves and continue to govern themselves ; that whatever executive action has to be taken, even in common concerns, would have to be determined, as the last paragraph says, by "the several governments" of the Empire, and the idea of a federal solution is therefore negated, and, I think, very wisely, because it seems to me that the circumstances of the Empire entirely preclude the federal solution. Here we are, as I say, a group of nations spread over the whole world, speaking different languages, belonging to different races with entirely different economic circumstances, and to attempt to run even the common concerns of that group of nations by means of a central Parliament and a central Executive is, to my mind, absolutely to court disaster.<sup>1</sup>

The report of the Conference discussion <sup>2</sup> reveals an agreement unwonted even in this assembly, but an agreement preserved only by a remarkable tact in refraining from going far enough into the issue to reach really debatable ground. The Premiers were at one on the points covered by the resolution before them, their underlying differences were revealed rather in the aspects of Imperial relationships which they chose to emphasise. One can readily detect the two points of view, and see that each placed a different interpretation upon the nature of their deliberations. For example, Sir Robert Borden, as the mover of the resolution, was non-committal, though mildly Imperialistic. He emphasised the rapid growth of the Dominions, their national

<sup>1</sup> Cd. 8566, p. 47.

<sup>2</sup> *Ibid.* pp. 40-61.



status, and their war effort for the Empire as arguments that the older theory of United Kingdom trusteeship in the sphere of foreign relations should be reckoned a thing of the past. The settlement of the issue should not be postponed any longer than was necessary after the conclusion of hostilities, nor should so important a question as the future constitution of the Empire be made a matter of party politics. Mr. Massey endorsed Sir Robert's stand, and considered the Imperial War Cabinet as an important step in advance. General Smuts, in contrast, exemplified the Co-operationist's interpretation of the words before them. On the constitutional side his stand represented rather that taken by Laurier and Botha in previous Conferences. He rejected federation and declared for a continuance of existing lines of development. Nevertheless the Empire must be held together, especially in respect to foreign policies, hence machinery for continuous consultation must (and could) be devised. He expressed no opinion as to whether, as in Borden's view, the germs of a solution lay in the existing double cabinet system. In a somewhat rambling speech, Sir Joseph Ward came out strongly for the Imperialist position. Reiterating his arguments of the 1911 Conference, he urged that common action in defence and foreign affairs was vitally necessary, and that an Imperial parliament was the only device for attaining this. He derided the "bogey of local autonomy" and argued that such a central body would not abridge in any way Dominion self-government, but would confine itself to those "overriding vital Empire matters" which none of the local governments could deal with effectively on their own account. Thus, though both sides could whole-heartedly endorse the resolution and the repudiation of Colonialism it contained, though both waxed eloquent over the recognition of Dominion nationhood, yet it was apparent that in the final settlement fundamental differences of opinion must still be encountered.

At its next session, in 1918, the Imperial War Conference attacked the question of channels of communication between the Home Government and those of the Dominions.<sup>1</sup> The problem of securing continuity in the work of the Conference, it will be recalled, was the most important of the subsidiary issues involved in the federation controversy, and furthermore

<sup>1</sup> Cd. 9177, pp. 155-165.

(assuming the desire for continued Imperial co-operation to persist) demanded settlement irrespective of the adoption of either federal or confederate solution for the main issue. It revealed, on the part of the Nationalists on the one hand, a determination to abolish the overlordship of the Colonial Office in form as well as fact, and in addition, on the part of the Imperialists, the will to establish such machinery as would render concerted action habitual and effective. It will be remembered also that the Colonial Office had defeated the attempt in the 1907 Conference to establish a genuine Imperial secretariat, and that the proposals of Australia, New Zealand and the United Kingdom in the 1911 Conference to deal with the situation had come to nothing. The Colonial Office still remained the only official medium of communication for the Dominions with the Mother Country or with one another.

The 1918 War Conference unanimously passed a resolution<sup>1</sup> to the effect that the development in the relations between the United Kingdom and the Dominions had necessitated "such a change in administrative arrangements and the channels of communication between their governments as will bring them more directly in touch with each other," and invited the Imperial War Cabinet to give immediate consideration to the creation of suitable machinery for this purpose. The same conditions were observable in this debate as were noted in connection with that of the previous year. Premier Massey and Sir Joseph Ward revealed the hope that it might prove the stepping-stone to federation, but received small comfort from the utterances of the other members of the Conference. Premiers Hughes and Borden and Mr. Rowell supported the suggestion from the Co-operationist standpoint, in that it implied a further recognition of the equality of the sister nations within the Empire. "Imperial relations," said Mr. Hughes, "have reached a stage at which, in the course of daily administration, the Dominion governments are conferring, negotiating, and transacting business with the Imperial government not inter-departmentally, but *inter-governmentally*." Mr. Rowell also stressed the Nationalistic purport of the resolution :

Its importance, as has been so fittingly said, lies in the recognition of the equal status of the Dominions with that of the Mother Country.

<sup>1</sup> Cd. 9177, p. 165.

Undoubtedly with us in Canada, and I presume it is equally true of the other Dominions, there has been a great growth of national sentiment and national spirit during the war. That national sentiment and national spirit, however, are not incompatible with the idea of the unity—of the maintenance of the unity—of the Empire. The proposal now under consideration, if given effect to, will be a recognition of that national spirit, and I believe will be accepted as such and appreciated as such. Every recognition we can give of the national spirit of the Dominions, consistent with maintaining the unity of the Commonwealth as a whole, will, I believe, prove a step in the right direction, will give satisfaction to the Dominions, and in the long run will strengthen the ties which bind the Empire together.

The Imperial War Cabinet discussed the question, and on July 30 passed the following resolutions :

I.—(1) The Prime Ministers of the Dominions, as members of the Imperial War Cabinet, have the right of direct communication with the Prime Minister of the United Kingdom, and *vice versa*.

(2) Such communications should be confined to questions of Cabinet importance. The Prime Ministers themselves are the judges of such questions.

(3) Telegraphic communications between the Prime Ministers should, as a rule, be conducted through the Colonial Office machinery, but this will not exclude the adoption of more direct means of communication in exceptional circumstances.

II.—In order to secure continuity in the work of the Imperial War Cabinet, and a permanent means of consultation during the War on the more important questions of common interest, the Prime Minister of each Dominion has the right to nominate a Cabinet Minister, either as a resident or visitor in London, to represent him at meetings of the Imperial War Cabinet to be held regularly between the plenary sessions.<sup>1</sup>

This again was a non-committal decision, the significance of which would depend upon the way in which the features it embodied were applied and the relative emphasis accorded them. In terms it was a war measure, pertaining to the work of the Imperial War Cabinet, but undoubtedly it would govern subsequent relationships. Moreover it was the corollary of the principle of the equality of free governments which the 1917 Conference had formulated. The purport of the resolutions was to minimise the importance of the Colonial Office, and they mark a long step from the Colonialism of 1907. Both rendered it

<sup>1</sup> *Loc. cit.* The principle of direct communication was again endorsed by the Conferences of 1921 (Cmd. 1474, p. 10), and 1926 (Cmd. 2768, p. 27).

easier for the Dominions to keep in touch with the Home Government and with each other, and the second, providing understudies for the Premiers, should facilitate more frequent conferences. It was on this feature that Imperialist hopes for the continuance of the Imperial War Cabinet organisation on a peace-time footing were based.<sup>1</sup> Nevertheless the resolutions provided only increased facilities of communication for *individual* governments, in fact made no specific mention of co-operative activity, hence, if the latter should be at a discount, the advance they indicated would be entirely to the advantage of the Nationalists. Finally, there was the significant omission of any reference to the once-cherished Imperial secretariat scheme.<sup>2</sup>

The optimism which Imperial federationists displayed in 1916 underwent considerable modification as time passed. The results of the 1917 and 1918 War Conferences had much to do with this. The writings of the Co-operationists, which soon became numerous, even in *United Empire*, also made their influence felt. But it was the public utterances of certain leading Imperial statesmen which threw the camp into consternation. Premier Hughes, who had been hailed as a great hope of federation, pronounced against it.<sup>3</sup> Above all, Viscount Milner gave them food for thought. At a luncheon to Dominion commercial representatives (July 1919), for instance, he had endorsed separate representation of the Dominions in international affairs, as in connection with the Peace Treaty or the League of Nations. Commenting on this, *United Empire* said editorially: "This is a new, and in one sense, a startling view. Does Lord Milner's declaration mean that he, too, regards Imperial federation as impracticable? Not necessarily, perhaps, but that seems to be the logical deduction."<sup>4</sup> Nevertheless Imperialists cherished lively hopes of the first Conference session which was to follow the War. This was to be the Constituent Convention of the Empire, at which the problem of Imperial constitutional re-organisation would at last be faced. Thoroughly justified, indeed, were the Federationists in regarding the 1921 Imperial

<sup>1</sup> E.g. B. Worsfold, "The Administration of the Empire" (*United Empire*, vol. xi. p. 362).

<sup>2</sup> See R. Jebb, "Conference or Cabinet" (*ibid.* pp. 241-242).

<sup>3</sup> E.g. compare Editorial Notes in *United Empire*, vol. vii. p. 256 and vol. x. p. 364.

<sup>4</sup> *Ibid.* vol. x. p. 364.

Conference as a critical meeting. If after all these years of systematic preparation and agitation, if after the terrific death-struggle and emotional crisis through which the peoples of the Empire had passed, the first assembly which was in a position to deal with their project were to turn it down, then Imperial federation must certainly be considered both dead and damned. A further postponement of the issue would be equally fatal to it, as never again were the circumstances likely to be as favourable for its reception.

The convocation of an Imperial Conference for the final settlement of the Britannic Question was agitated for some years. Hon. B. R. Wise, Agent-General for New South Wales, for instance, more than once advocated the summoning of a popularly elected Convention for this purpose.<sup>1</sup> The Empire Club of Canada passed a resolution calling for such a body.<sup>2</sup> Several men, including Sir Robert Borden,<sup>3</sup> Sir George Perley,<sup>4</sup> and Dr. Parkin,<sup>5</sup> insisted on its being representative of other than the mere parties in power. Lord Milner hoped that this Conference would definitely formulate an Imperial constitution possibly modelled on that of the League of Nations.<sup>6</sup> As the time for the meeting approached, Imperialist hopes rose, despite warnings from more sober heads that too much was being expected of it. Under the editorial caption, "A Constituent Assembly for the Empire," *United Empire*, for example, declared :

That Conference will be constitutional ; it must not be confused with the periodic Imperial Conference. "It is," said Lord Milner, "in the nature of a Constituent Assembly which is to try to arrive at a basis on which our relations with the Dominions were in the future to be conducted." This development is the logical outcome of the events of the last five years. . . . Some means must be devised "of making the influence of the Empire as a whole, as distinct from the United Kingdom, continuously effective in the councils of the world." The Imperial War Cabinet and the British Empire Peace Delegation were both "as complete an Executive of the Empire as a whole as it was possible to conceive." But they were expedients and temporary. How may permanency be secured ? As Lord Milner says, next year's Conference will be "of extraordinary importance."<sup>7</sup>

<sup>1</sup> *United Empire*, vol. vii. pp. 53-55, 670, 687.

<sup>2</sup> *Ibid.* pp. 316-317 (March 30, 1916).

<sup>4</sup> *United Empire*, vol. vii. pp. 315-316.

<sup>5</sup> *Ibid.* vol. xi. pp. 256-257 and *British Commonwealth*, p. 14.

<sup>7</sup> Vol. xi. pp. 351-352 (July 1920).

<sup>3</sup> Cd. 8566, pp. 42-43.

<sup>6</sup> *Ibid.* pp. 671-672.

These Imperialist hopes were much bruited, and roused corresponding apprehension in Nationalist circles generally which found expression in the various parliaments as the time for the Conference approached. The Nationalists were still in opposition throughout the Empire. The obvious fear was that their respective Premiers, under the influence of close association in the Imperial environment, would allow the scale to turn upon the side of centralisation. As General Hertzog argued :

It was a fatal step that the Prime Minister should go each year to these Conferences. He was only human and subject to influence and environment, and he might make mistakes which might have a far-reaching effect, and then on returning to South Africa he would not be able to use his influence for its benefit. If it was necessary that South Africa should be represented, then it should be by some emissary in London. Prime Ministers were wanted because they had greater influence and could bind their countries.<sup>1</sup>

In the Pacific Dominions, but especially in Canada, there were specific and determined efforts to tie the Premiers' hands by parliamentary instructions and otherwise assure a limitation of commitments prior to this session. The Nationalists were as yet uncertain of the future, and the contrast between their suspicion of the Conference in 1921 and the eagerness with which they awaited the session of 1926 as an opportunity of securing formal recognition for their claims is a striking tribute to the importance of the developments of these five years.

There were several features in the situation calculated to give pause to the Imperialists. Nationalist arguments had not yet become fully definite and consistent ; some were as ready to cling to pre-War relationships and depreciate their new status

<sup>1</sup> May 23, 1921 : *Journal of the Parliaments of the Empire* (henceforth cited as *Journal*), vol. ii. p. 673. Similarly the *Winnipeg Free Press* pronounced as follows : " With an Imperial Conference in the distance at which definite action is to be taken, there can be no further postponement by patriotic Canadians of their duty of informing themselves and reaching an opinion. This discussion must precede, not follow, the Imperial Conference. This may not be the procedure favoured by some who would prefer the adoption by the Conference of some attractively presented plan which would afterwards be commended to the various nations by propaganda ; but this is precisely the course against which we need to be on our guard. In short, what we need is delay and discussion. The existing Canadian Parliament and the present Dominion Government have no right to make any commitments on behalf of the Canadian people in regard either to naval policy or Imperial organisation. There are duties which should devolve upon the next Parliament and upon the Government which commands the support of that Parliament."—Quoted in *Round Table*, vol. x. p. 413 (January 1920).

as others were to magnify recent changes. But the motive was the same in both cases—opposition to centralised, even co-operative activity and external commitments—and the Nationalist opposition was consolidating :

More and more the programme of this element appears in a form in which it can be understood. They seem to demand separate diplomatic representation for the Dominions at the capitals of all foreign nations ; separate navies under national control, abolition of appeals to the Imperial Privy Council, and complete judicial independence ; nomination of the Governor-General by the Canadian Cabinet, and the appointment of a Canadian to the office if the Cabinet so wills, and recognition of the Sovereign as the only actual or official link between the Dominions and the Mother Country. This programme may suggest a movement for separation, but many of those most earnest in its advocacy have no thought of separation. They contend that Imperial sentiment has deepened and strengthened with every advance towards independence, and that complete independence under the Crown is the natural and inevitable ultimate relation between the oversea British countries and the ancient seat and centre of Empire.<sup>1</sup>

Even more serious was the alteration in the viewpoint of those public men among whom Imperialists must seek their principal support. In responsible quarters in practical politics Imperialism had attained its post-War phase and become Co-operationism. That is, Imperial federation had been definitely abandoned and confederate principles accepted as the future basis of relationships.

In Canada Imperial federation was not even an issue. Borden, Meighen and Rowell alike stressed the equalitarian feature of their status as it had been set forth in Resolution IX of 1917. Sir Robert Borden summed up Co-operationist principles during the debate on the Peace Treaty as follows :

The future relationship of the Empire must be determined in accordance with the will of the Mother Country and of each Dominion in a constitutional conference to be summoned in the not distant future. Undoubtedly it will be based upon equality of nationhood. Each nation must preserve unimpaired its absolute autonomy, but it must likewise have its voice as to those external relations which involve the issue of peace or of war. So that the Britannic Commonwealth is in itself a community or league of nations which may serve as an exemplar to that world-wide League of Nations which was founded in Paris on the 28th of last June.<sup>2</sup>

<sup>1</sup> *Round Table*, vol. xi. pp. 390-391 ; comment by Canadian correspondent (January 1921). See also the discussion of the situation at this time in H. D. Hall, *British Commonwealth of Nations*, chs. viii. and ix.

<sup>2</sup> *Journal*, vol. i. p. 89 (September 2, 1919).

In Australia Premier Hughes was emphatically opposed to all attempts at redrafting the Imperial constitution. He maintained :

Nothing is more certain than that the surest way of destroying this mighty Empire, one of the chief bulwarks of civilisation, is to tamper with its constitution. Complete autonomy of the parts is the foundation upon which its unity rests. Neither Great Britain nor the Dominions are prepared to yield one jot or tittle with regard to their perfect freedom to govern themselves in their own way, and this assurance of perfect freedom of each of the several parts ensures a spiritual unity which binds us together.<sup>1</sup>

Back in the 1917 War Conference General Smuts had categorically repudiated Imperial federation. Only in New Zealand was there a regular old-time debate upon the issue,<sup>2</sup> and Premier Massey seemed definitely inclined to a continuance of the Imperial Cabinet as a regular institution upon a peace-time basis.

To outward appearance at least the situation in South Africa was most serious. The members of Dutch extraction in the Union Parliament displayed a legalistic attitude toward constitutional questions which is akin rather to American usage, and contrasts markedly with that of persons reared in the British tradition, or even Canadian Nationalists such as Mr. Bourassa, who at all times revealed a thorough grasp of constitutional conventions and the principles of English Liberalism which he was so fond of invoking. An especially sore point was the formal right of the King to veto a South African statute. Apparently this was regarded as an insufferable badge of servitude.<sup>3</sup> Another touchstone of autonomy was the formal right to secede from the Empire. When challenged, General Hertzog hedged upon secession as a policy, but in turn demanded a categorical statement from the Premier as to the constitutional right of South Africa to secede—which was met by a point-blank denial that it existed<sup>4</sup>—one of his arguments being that other countries objected to the League owing to the admission of non-free nations to membership in it. By way of showing that their Premier was the only Empire

<sup>1</sup> *Journal*, vol. ii. p. 355 (April 8, 1921).

<sup>2</sup> *Ibid.* pp. 636-654 (March 14, 1921).

<sup>3</sup> The vigorous complaint from certain quarters in Canada at the lack of technical power to amend their own constitution also exemplifies this outlook.

<sup>4</sup> *Journal*, vol. i. pp. 212-213. The Minister of Justice attempted to meet this issue by drawing a distinction between political power and constitutional right. South Africa could secede and become a Republic, but this would constitute a revolutionary act.



statesman who denied the right of secession to the Dominions, F. W. Beyers quoted statements of Bonar Law and Chamberlain to the effect that Britain would interpose no objection should a part of the Empire desire to sever its connection with the rest. Here, of course, he confused General Smuts' stand upon the strict constitutional right with the purely political viewpoint from which references to the subject were made in Britain and Canada. The approaching Conference and Lord Milner's recent call for the devising of means to achieve closer unity also evoked suspicious comment. The aim of both, they asserted, was merely to assure that henceforth the Empire should speak with one voice. South Africa, then, would be consulted, and as a result dragged into Imperial politics; foreign policy would be as secret as ever, for there was no assurance that Parliament in such matters would be less impotent than heretofore. Against such a condition of affairs the whole of Dutch-speaking South Africa protested, as they did not wish to be tied for ever to the British Empire.

The Prime Minister's points of emphasis were necessarily conditioned by these arguments. In answering the charge that he was a "fiery Imperialist" who had sacrificed South African interests and liberties to British wishes, he stressed the part which he himself had played in defeating the war-time movement for Imperial federation—a project which he considered "absolutely impossible." The old British Empire, in terms of which the Nationalists still reasoned, had been fundamentally changed, in fact had ceased to exist with the signing of the Peace Treaties. As for the future, his policy was a clear and vigorous exposition of Co-operationist principles, an active rôle for his country in the British Commonwealth and the new world order:

The South African Party is out for sovereign status for South Africa. So far from surrendering any of its rights to the League of Nations or to any Council of the Empire, it is for the fullest development and assertion of those rights.

But it recognises gratefully that we are members of the British Commonwealth, and of the great body of civilisation represented by the League of Nations. It recognises also that the old order of state isolation and the rule of the strongest, which followed from it, is passing away. It sees a new world order arising, under which states will agree to peaceful co-operation and mutual protection, as do citizens in a state, and so make wars unnecessary and illegal.

It finds in both the new British Commonwealth and the League

of Nations the beginnings of this new order of peace and justice, consultation and co-operation. And it wishes South Africa to be associated with her sister nations of the Commonwealth and of the League in endeavouring to make a success of this grand experiment, on which so much depends for the peace and welfare of the human race.

In all this there is no risk that the interests of South Africa will be sacrificed for external interests. For neither the constitution of the League nor of the Empire demands any action from us which we do not ourselves freely choose to take, either through our Parliament or our Government. No majority vote can bind us.<sup>1</sup>

In his programme for the future of the Union, he asked recognition for three fundamental principles. The first was that they should abide by the British connection and agree to question it no longer. The British League of Nations, to which they already belonged, and the new world system they were entering, gave them ample scope for development as a free nation. The second was frank, honest, whole-hearted co-operation between the white races. Henceforth they should base their policies more and more upon interests, not racial distinctions, and should develop a sentiment for distinct South African nationhood, as the bond holding the white races together. Finally, he asked them to agree that the great task before them was industrial. Let them seize the great opportunity afforded them by the War, push ahead with a forward industrial and development policy, and join in the great work of the world. Would it not be possible, on the basis of these three propositions, for all parties and reasonable citizens to recreate the great spirit of 1909 which had laid the foundation of a united South Africa ?<sup>2</sup>

When the Premiers assembled for the Conference they reflected the state of opinion throughout the Empire, and their decision was plainly anticipated in their opening speeches.<sup>3</sup> Mr. Lloyd George took pains to reassure them as to the Home Government's attitude :

The British Government has been under some suspicion in some quarters of harbouring designs against this gathering as a Conference. We are said to be dissatisfied with the present state of the Empire, and to wish to alter its organisation in some revolutionary way.

<sup>1</sup> From a speech at Pretoria (December 3, 1920) quoted in *Round Table*, vol. xi. pp. 444-445.

<sup>2</sup> *Journal*, vol. i. pp. 219-220 (September 17, 1919).

<sup>3</sup> Cmd. 1474, pp. 11-39.

Gentlemen, we are not at all dissatisfied. The British Empire is progressing very satisfactorily from a constitutional standpoint, as well as in other ways.

Mr. Meighen needed few words to state Canada's position :

The Prime Minister referred to suspicions that had been generated of designs on the autonomy of the Dominions, conspiracies to bring about revolutionary changes in our constitutional relations. I may say that I do not think any responsible representative of any Dominion, I am quite certain of Canada, requires to have his mind cleansed of evil thought in that respect.

Premier Hughes of Australia gave the gist of the whole situation :

It is well that we should know each other's views. We ought not to discuss things in the dark. It has been suggested that a constitutional conference should be held next year. It may be that I am very dense, but I am totally at a loss to understand what it is that this constitutional conference proposes to do. Is it that the Dominions are seeking new powers, or are desirous of using powers they already have, or is the conference to draw up a declaration of rights, to set down in black and white the relations between Britain and the Dominions? What is this conference to do? What is the reason for calling it together? I know, of course, the resolution of the 1917 Conference. But much water has run under the bridge since then. Surely this conference is not intended to limit the rights we now have. Yet what new right, what extension of power can it give us? What is there that we cannot do now? What could the Dominions do as independent nations that they cannot do now? What limitation is now imposed upon them? What can they not do, even to encompass their own destruction by sundering the bonds that bind them to the Empire. What yet do they lack?

Only Mr. Massey took the Imperialist stand. He stated his belief that during the functioning of the Imperial War Cabinet the Dominions had enjoyed the right "to assist in making a recommendation to the Sovereign, the Head of the State, in regard to any course of action which we thought desirable and which required his assent." This right, he held, they had now lost, which was a backward step. In other words, the New Zealand Premier still envisaged an Imperial council of the type proposed by Mr. Chamberlain. At the same time he made the significant confession that although he had discussed it with his colleagues in New Zealand, he had "not mentioned it in Parliament except by way of a brief hint."

Despite the significance of this Conference in Imperial history, the importance of the results are not obvious on the face of the record. The action taken was summarised as follows :

Several plenary meetings and several meetings of the Prime Ministers were devoted to a consideration of the question of the proposed Conference on the constitutional relations of the component parts of the Empire, and the following resolution was adopted :

"The Prime Ministers of the United Kingdom and the Dominions, having carefully considered the recommendation of the Imperial War Conference of 1917 that a special Imperial Conference should be summoned as soon as possible after the War to consider the constitutional relations of the component parts of the Empire, have reached the following conclusions :

"(a) Continuous consultation, to which the Prime Ministers attach no less importance than the Imperial War Conference of 1917, can only be secured by a substantial improvement in the communications between the component parts of the Empire. Having regard to the constitutional developments since 1917, no advantage is to be gained by holding a constitutional conference.

"(b) The Prime Ministers of the United Kingdom and the Dominions and the representatives of India should aim at meeting annually, or at such longer intervals as may prove feasible.

"(c) The existing practice of direct communication between the Prime Ministers of the United Kingdom and the Dominions, as well as the right of the latter to nominate Cabinet Ministers to represent them in consultation with the Prime Minister of the United Kingdom, are maintained."<sup>1</sup>

The most significant part of this resolution was the sentence : "Having regard to the constitutional developments since 1917, no advantage is to be gained by holding a constitutional conference." Thus Imperial federation was given its *coup de grâce*, for the only purpose of such a constitutional conference would have been to discuss a project of that nature. Thus the Premiers finally disposed of the project, not by repudiating but by permanently shelving it. At the same time they sanctioned the existing Imperial Conference machinery, nay further, recommended annual meetings of that body where feasible. By this, and by their reference to "constitutional developments since 1917," they went on record as favouring the confederate form of organisation for the Empire, as endorsing the body of precedents and the agencies of co-operation which had been built up since the opening of the century.

<sup>1</sup> Cmd. 1474, pp. 9-10.

This resolution of the 1921 Conference constitutes in effect a reaffirmation after the return to normal peace-time conditions of the Imperial War Conference's pronouncement of 1917. Both embody the Co-operationist theory of Imperial relations, that is, Imperialist belief in the maintenance of Imperial unity, but on a confederate basis of organisation, without that close degree of integration which federation involves. Thus could the opening declarations in each case, as popularly interpreted—the principle of equality of nationhood and the abandonment of the Constitutional Convention respectively—be reconciled with the endorsement of concerted action which followed. In this respect, as will appear, they contrast with the decisions of 1923 and 1926 in which Nationalist theory predominates. In view of its antecedents and despite its negative character, the declaration of 1921 stands with those of 1907, 1917 and 1926 as one of the four outstanding pronouncements which, together with the body of convention and precedent which they reflect, may be said to comprise the Constitution of the British Commonwealth of Nations—a constitution which in content as well as mode of development is a most instructive counterpart of, in fact a still more remarkable achievement than, that of the United Kingdom itself.

The resolution, however, failed to give universal satisfaction. Save for the final blow which it gave to the federation movement, it left the problem of providing adequate machinery for the conduct of Imperial foreign relations (now the most insistent problem) in the same nebulous condition in which the Premiers found it. The injunction of 1917 that "effective arrangements for continuous consultation" should be devised had been met merely by the pious recommendation that Conference sessions should if possible be annual. This issue was once more postponed and delay in such matters was all to the benefit of the Nationalists. Existing principles for the conduct of foreign policy were susceptible of diverse interpretations, as may readily be appreciated when Premier Lloyd George's appraisal of the decision, for instance, is analysed :

That is much better than written rules. They were consulted in the Peace Conference ; they were now consulted, and there was an understanding that on all questions of foreign policy they should be informed and, in so far as distance would permit, that they should be consulted. That is what matters. We do not want to interfere

with their internal affairs, and they do not want to interfere with ours ; but they all want to feel that they are part of this amazing organisation, which is the first thing of its kind that the world has ever seen. . . . We came to the conclusion, therefore, that we would have no constitutional conference. The thing that matters is as frequent Conferences as time and distance will permit. After all, it is very difficult for Imperial Ministers to come here from the other end of the earth once a year when they have got very important affairs of their own to attend to, and I have no doubt, very considerable difficulties.<sup>1</sup>

Again, a few months after the session ended, he declared :

The machinery is the machinery of the British Government—the Foreign Office, the Ambassadors. The machinery must remain here. It is impossible that it could be otherwise unless you had a Council of Empire, with representatives selected for the purpose. . . . The instrument of the foreign policy of the Empire is the British Foreign Office. That has been accepted by all the Dominions as inevitable. But they claim a voice in determining the lines of our future policy. At the last Imperial Conference they were there discussing our policy in Germany, our policy in Egypt, our policy in America, our policy all over the world ; and we are now acting upon the mature general decisions arrived at with the common consent of the whole Empire.<sup>2</sup>

This was an alarming attitude to adopt, even from the Co-operationist standpoint. Complacent though it was, it implied in effect the retention of the old Colonialist basis, on which foreign affairs were conducted by the Home Government, tempered by the entirely inadequate consultation with the Dominions which existing facilities afforded. Unless something better could be devised, the only outcome must be Nationalistic decentralisation—the expedient of Locarno. Hence the dissatisfaction of men like Sir Robert Borden, who visualised a very active participation by the Dominions in Imperial policies, may readily be appreciated. It was in view of these considerations that his comment on the Conference was : “ The foreign policy of the Empire remains under the same direction and influence as before the War, and that is not what we intended should be the case when we took our stand in 1917 ; it is imperative that the old conditions should not go on.”<sup>3</sup>

<sup>1</sup> Statement in the House of Commons (August 18, 1921), *Journal*, vol. ii. p. 711.

<sup>2</sup> December 14, 1921 (*ibid.* vol. iii. p. 10).

<sup>3</sup> At Toronto University (October 7, 1921), quoted in *Canadian Annual Review* (1921), p. 221.

The decision of the Conference nevertheless had one immediate advantage, and vindicated what has proved throughout British constitutional history to be a very sound principle. It avoided the necessity of making formal, inevitably more or less precise and hence rigid and contentious definitions of Imperial relationships. Premier Hughes emphatically supported this viewpoint; to the Australian House he said :

We ought not to be asked to a constitutional conference unless it can be shown that it will give us some advantage we do not enjoy, some real thing which we do not possess, and which cannot be given here and now. I do not believe there is any such thing. I am against a constitutional conference ; it is not only unnecessary, it is dangerous. I am very strongly opposed to any attempt to reduce the constitution to writing ; I am against any flamboyant declaration of rights. The chief glory of our constitution is its elasticity ; under it nothing is impossible ; under it we have already received everything we need as a self-governing nation. What we have become, what we are, we owe to this constitution—this most wonderful, flexible and efficient instrument of free government that the world has ever known. It is as boundless as freedom itself ; it has no limitations. And where there are no limits, disputes about the ambit of power cannot enter in.<sup>1</sup>

This attitude is typical throughout the Empire of all save the more daring Imperialists, who realised that a basis of federal relationships must inevitably be committed to some specific document,<sup>2</sup> and of certain Nationalists who seem to demand something in the nature of an Imperial Bill of Rights. It is characteristic of British constitutional tradition. The principle of avoiding difficult and controversial issues and rigid prescription of relations, but above all the faculty of being able to function without them, have proved of inestimable service in the evolution of the Commonwealth, as the evidence from other political systems amply demonstrates.

The antecedents of the establishment of the Irish Free State were such that the essentials could not be left to tacit understanding and mutual goodwill. It is from such circumstances that "written" constitutions result. Hence when it was agreed that Southern Ireland was to have "Dominion status" some formal exposition of what was meant thereby could not be avoided.

<sup>1</sup> *Journal*, vol. iii. p. 97.

<sup>2</sup> See L. Curtis, *Problem of the Commonwealth*, ch. xxi, for some trenchant remarks on this subject.

This difficulty was surmounted by analogy, as appears from the first three sections of the Agreement of December 6, 1921 :

(1) Ireland shall have the same constitutional status in the community of nations known as the British Empire as the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, and the Union of South Africa, with a Parliament having powers to make laws for the peace, order and good government of Ireland, and an Executive responsible to that Parliament, and shall be styled and known as the Irish Free State.

(2) Subject to the provisions hereinafter set out, the position of the Irish Free State in relation to the Imperial Parliament and Government and otherwise shall be that of the Dominion of Canada, and the law, practice, and constitutional usage governing the relationship of the Crown, or the representative of the Crown, and of the Imperial Parliament to the Dominion of Canada shall govern their relationship to the Irish Free State.

(3) The representative of the Crown in Ireland shall be appointed in like manner as the Governor-General of Canada, and in accordance with the practice observed in the making of such appointments.<sup>1</sup>

The reservations regarding Imperial defence embodied in sections 6-8 of this document are, of course, exceptional.

In discussing this settlement in the House, Mr. Lloyd George again stressed the danger of rigid definitions in constitutional matters, and the advantage of defining the position of the new Dominion by analogy with that of the older ones. During the debate on the Free State Constitution Act, Mr. Bonar Law, the new Premier, adopted the same line of reasoning as did Mr. Hughes. He argued :

If there were an attempt resulting from this Irish Constitution to define by statute what the relations of the Dominion are, it would not be merely a question between us and Southern Ireland.

It would be a question of the most far-reaching importance, and I do not hesitate to say that the very fact that the Dominions have grown in stature as the result of the War makes it more necessary than ever it was before that when the new influence which they ought to exercise on our whole policy has no fixed machinery for carrying it out . . . nothing should be done to suggest that their powers are less than we know them to be, and they believe them to be.

I say, therefore, without hesitation, that if this Parliament were to pass an Act which attempted to limit the powers of the Dominions, according to statute, it would re-echo all through the Dominions, and would be one of the most dangerous things that could happen.<sup>2</sup>

<sup>1</sup> From the text in *Journal*, vol. iii. pp. 1 *et seqq.*

<sup>2</sup> *Ibid.* vol. iv. pp. 46-47.



Mr. Ramsay MacDonald also expressed the hope that the time would never come when there would be an attempt to define in rigid legal formulae the relationship between the different parts of this self-governed Empire. Their one safety was that relationships should remain organic rather than legal.<sup>1</sup> Nevertheless it has frequently been made evident, especially in Canada and South Africa, that the virtue of this truly British principle is not universally appreciated in the Commonwealth.

The Irish Free State Constitution, however, went further than did the Agreement, and one of its most interesting features is the formal enunciation of certain principles which, although they had attained fairly general tacit acceptance, had never been specifically embodied in the Organic Acts of other Dominions or in resolutions of the Imperial Conference.<sup>2</sup> For instance the theory underlying the statement in the first Article of the Constitution, that : "The Irish Free State . . . is a co-equal member of the community of nations forming the British Commonwealth of Nations," should be compared with that expressed in the first section of the Agreement cited above. Furthermore, the declaration in Article 2 that governmental authority is derived from the people of Ireland was a new departure, as were the provisions relating to Irish citizenship, at least in their formal aspect. Of especial interest is Article 49, which states that : "Save in the case of actual invasion, the Irish Free State shall not be committed to active participation in any war without the assent of the Oireachtas." This was the policy enunciated by Sir Wilfrid Laurier in 1900, and reiterated by him throughout his career on all subsequent occasions when the issue arose, but it had always proved a serious bone of contention, and could not be said to have achieved universal acceptance even after the Chanak and Lausanne Treaty episodes.<sup>3</sup> These points, especially if they are compared with contemporary expressions of opinion in, say, New Zealand, all go to show that Imperial relations even within the Commonwealth—to say nothing of the attitude of foreign Powers—still admitted wide differences of opinion.

<sup>1</sup> *Journal*, vol. iv. p. 47.

<sup>2</sup> See text and debates on the Free State Act (*ibid.* pp. 37-54).

<sup>3</sup> In the Canadian House on March 26, 1923, for instance, an Irish Roman Catholic member moved a resolution identical in terms with the clause above, but after his and his seconder's speeches, debate was promptly adjourned (*Journal*, vol. iv. pp. 285-291).

*The Constitutional Settlement of 1926*

As the main interest of the 1923 Conference session lies in the field of foreign affairs, especially in the formulation of principles for the conduct of negotiations,<sup>1</sup> the next comprehensive examination of Imperial organisation was that undertaken by the Imperial Relations Committee of the 1926 Conference, and the results of which were embodied in the epoch-making report which they submitted on that occasion. During the intervening period the emphasis in the discussion of constitutional relationships had altered markedly. In the first place the political scene had shifted. The homogeneous group of Co-operationist Governments which had guided the Commonwealth through the era of the most concerted action in foreign affairs in its history, and which had qualified the Autonomist features of their various pronouncements upon Imperial relations by equally emphatic declarations in favour of continued unity in policy, had been broken by the advent to power first of the King Government in Canada and, later, of the Hertzog Government in South Africa. Furthermore, Nationalist strategy had been changed. Prior to the War the Nationalists had remained on the defensive against the Imperialist onslaught and had been found uniformly willing to retain many aspects of their Colonial status rather than risk the centralist implications in the suggestions of reform which were offered them. Prior to the session of 1921 they had shown, especially in Canada, even more than their usual apprehension of the approaching Conference, lest some nefarious commitments should result therefrom, and even prior to that of 1926 some South African Nationalists voiced fears as to the possible effect of London atmosphere upon their Premier. But expressions of gratification at such opportunities of clearing away the remaining anomalies had now become noticeably frequent. Now that Imperialism had been defeated, and principles representing their viewpoint had become firmly established, they pressed their demands for the removal of all relics of Colonialism.

The gist of the Nationalist programme was the attainment of Britannic equality as they understood it. Briefly their contention was that the British Empire, with its relation of dominant and subordinates, was now a thing of the past. The British Common-

<sup>1</sup> *Infra*, ch. viii.

wealth was composed of free and equal nations, of which Great Britain was merely one, united solely by the common symbol of the Crown—Mr. Ewart's contention—and they demanded all the corollaries of this equality and freedom. Canada, under the King régime, had asserted her equality even in the international field—or more correctly, assertions had been made that Britain should secure for Canada equality of status with herself in international congresses, otherwise the Dominion would wash her hands of the proceedings. Another aspect, the discussion of which has been enlivened by much paradox, has been the issue of Canada's right to amend her own constitution. Other thorny questions include the status and powers of the Governors-General, the source of advice to His Majesty on Dominion affairs, review by the Home Government of Dominion legislation, the Colonial Laws Validity Act, the extraterritorial effect of Dominion legislation, and the judicial supremacy of the Privy Council.

The extension of Nationalistic equality into the sphere of world politics involves considerations which cut deeper than mere enunciation of constitutional principles, so must be reserved for later and detailed examination. The other problems cited, although they have evoked much discussion, and even greater popular interest than those of external relations, are, after all, issues of form rather than substance and hence really subsidiary. They comprise essentially instances where convention is robbing legal right of its content, but obsolescent prerogatives are retained by general consent (or it may be through general disagreement) in case their revival in some unforeseen emergency might afford the solution most agreeable to all concerned. Though some one or other of these vestiges might well be the occasion of a serious conflict, it could hardly be the real cause of one. The Commonwealth will never be disrupted by the constitutional technicalities rendering possible a deadlock between the Home Government and that of a Dominion regarding some piece of Dominion legislation; the circumstances leading to such a deadlock, however, might well prove disastrous.

Furthermore, in the case of many of these subsidiary controversies, the relation to Downing Street has actually been quite irrelevant to the real source of the difficulty, despite the Nationalist capital which has accrued from the confusion of the issue by the

injection of this extraneous factor. When certain social legislation desired by Mr. Woodsworth and his supporters, for instance, is found to be outside the competence of the central government, it is assumed that the devolution upon Canada of the right to amend her own constitution is the remedy, and the vindication of Dominion rights against the Mother Country is made the issue.<sup>1</sup> Similarly, if the Industrial Disputes Investigation Act fares badly at the hands of the Judicial Committee,<sup>2</sup> subordination to an alien court, not the re-examination of Dominion-Provincial relations, attracts attention.<sup>3</sup> The distribution of powers under her federal system is a question purely internal to Canada and does not properly involve the Home Government any more than did the late agitation over the Governor-General's power of dissolution, yet the episodes which have occurred have been given an Imperial significance.

The issue of Canada's right to amend her own constitution is an excellent case in point. On the face of it the situation presents a flagrant violation of Britannic equality, a salient example of the legal dominance of the Home Government in constitutional relations. The Canadian constitution is an act of the British Parliament, amendable only by action of that Parliament. Changes are initiated by address from both Houses in Canada and ratification of their suggestions ought now to follow as a matter of course. A more simple flexible system could hardly be devised, yet it embodies the forms of Dominion subordination and has therefore become a burning grievance in many quarters. The real cause of the agitation, however, has been dissatisfaction with the existing distribution of powers under the Canadian federal system. To devolve the formal amending process wholly upon Canada would mean throwing the issue of provincial rights into the melting-pot, aligning French-Canadian Nationalists

<sup>1</sup> E.g. Mr. Woodsworth's motion in the Canadian House (March 20, 1924) ; *Journal*, vol. v. pp. 333-344. The demand that the Canadian Federal Parliament should have the same powers as that of Great Britain, a unitary state, is a specious slogan which, if it has any actual meaning whatever, implies the transformation of Canada into a legislative union.

<sup>2</sup> *Toronto Electric Commissioners v. Snider*, [1925] A.C. 396.

<sup>3</sup> The rigidity of the American constitutional system frequently gives rise to an analogous situation when the existing distribution of powers between states and nation entails the annulment by the Supreme Court of social legislation (e.g. the federal Child Labour Laws) ; since it is easier to denounce the social philosophy of the Judges than to amend the constitution they thus become involved in political controversies.

against those who have hinted in their speeches that they seek autonomy for the purpose of attacking these special privileges, and from the legislative draftsman's point of view would raise a question in constitution-framing of extraordinary difficulty. Now the actual amending power rests with the Canadian Parliament, while the potential right of the Home Government to veto attempted changes has hitherto sufficed to protect minority rights and obviates the precision and rigidity which the incorporation of such guarantees in a wholly Canadian instrument would entail. To frame an amending clause for the constitution which would at once adequately distinguish those fundamental matters which could be altered only by unanimous consent of the Provinces, yet preserve the existing facility with which incidental changes (the sole type of amendment made thus far, it might be added) are effected, would be a truly formidable task.

Meanwhile the broader questions of status within the Commonwealth had in general been subordinated in interest to discussions of the position of the Dominions in relation to foreign affairs—save in South Africa, where much anxiety regarding continued subordination to Downing Street and doubts as to their equality even with the other Dominions were still expressed.<sup>1</sup> As hitherto the opening speeches of the Premiers at the Conference were an excellent reflection of the parliamentary opinion they had absorbed before leaving for London. General Hertzog in particular stressed the subject of constitutional relations. He concluded his remarks as follows :

I think, Sir, it will be generally admitted that the corner-stone of the Empire is the will, the good will, of those who compose it. Without that will the Empire must collapse. If, therefore, the Empire is to be maintained, if it is to flourish and fulfil that great task which we all hope it will achieve in the history of the world, we must see that the will to live in the Empire as a Commonwealth of free nations, will in future, as it is to-day, be present and active with every one of its constituent elements. Whether at present all the conditions are there to ensure the permanency of that will, and therefore of the Empire, is a question which I think we should inquire into at this Conference. Speaking merely for South Africa, I think they are not. South Africa is anxious to possess that will equally with every other member of the Commonwealth, but that will can be assured for the future only if she can be made to feel implicit faith in her full and free nationhood upon the basis of equality with every other member of the

<sup>1</sup> E.g. *Journal*, vol. iv. pp. 584-590.

Commonwealth. That implicit faith she does not possess to-day, but she will possess it the moment her independent national status has ceased to be a matter in dispute and has become internationally recognised. I hope, therefore, that this question of the status of the Dominions, which concerns their own communities no less than the world at large, will receive due consideration by this Conference and will be agreed upon in a manner that will remove all fear and doubt for the future.<sup>1</sup>

The Prime Ministers held their first meeting on October 19, 1926, and their deliberations, which included sixteen plenary meetings, continued until November 23. The Conference session of 1926 is apt to be regarded as the most outstanding of that notable series of Imperial gatherings inaugurated in 1887. Since it is the most recent, it is of course the best known and looms largest in the public mind; moreover it attracted a larger measure of popular attention, both within and without the Empire, than did its predecessors. In some respects, certainly, it is pre-eminent. Of the post-War Conferences, that of 1921 is distinctive for its work in formulating a united Imperial policy upon current foreign problems and that of 1923 for laying down principles to govern the future conduct of negotiations. The chief importance of the session of 1926 is constitutional. In reality it filled the place of that Constituent Assembly due to convene in 1921 and awaited with so much expectation on the one hand and apprehension on the other; it assumed functions which five years earlier the Premiers had in effect declared to be premature and hence declined to venture.

The Imperial stock-taking, so to speak, which Imperialists had consistently been advocating, was at length to be undertaken—now, however, essentially under Nationalist auspices. The Conference did not draw up a written constitution for the Empire. Although such a proceeding had been regarded favourably by the more extreme exponents, first of Imperialism and later of Nationalism—in both cases in order to accelerate what were at the time deemed to be auspicious tendencies—it had been deprecated in too many responsible quarters and for too many weighty reasons. Yet a climax had been reached in the discussion of several issues touching the constitutional relations of the British nations, and pronouncements upon these were necessitated. Other Conferences had faced problems which, in

<sup>1</sup> Cmd. 2769, pp. 24-25.

their ultimate solution, were as crucial to the Empire, but none of them had been called upon to render definitive answers to so many specific questions of paramount importance. This session is unique for the number of hitherto moot points in constitutional practice upon which conclusive pronouncements were made ; no previous assembly had ventured to be so specific and detailed. In this respect the 1926 session marks an epoch in Imperial constitutional development. Yet the seeming completeness of its work should not obscure the fact that it built directly upon the solid foundations of a quarter-century's achievement, and that it was by no means the most crucial of the Conference sessions.

The report of its Imperial Relations Committee, in which the conclusions of the 1926 Conference are embodied,<sup>1</sup> opens with a pronouncement upon the status of the several members of the Commonwealth which is in effect an explicit recognition of that complete equality upon which extreme Autonomists had long been harping, but couples with it a repudiation of the negative, static implications which the latter had been wont to see therein. The significance of Britannic equality is asserted to be not that of a device for making mutual interference impossible, but of a principle by which mutual co-operation may be made easy. The position and mutual relation of Great Britain and the Dominions, the Committee holds, may be readily defined :

They are autonomous communities within the British Empire, equal in status, in no way subordinate one to another in any aspect of their domestic or external affairs, though united by common allegiance to the Crown and freely associated as members of the British Commonwealth of Nations. . . . Every self-governing member of the Empire is now the master of its destiny. In fact, if not always in form, it is subject to no compulsion whatever. . . . Equality of status, so far as Britain and the Dominions are concerned, is thus the root principle governing our inter-Imperial relations. But the principles of equality and similarity appropriate to *status* do not universally extend to function. Here we require something more than immutable dogmas. For example, to deal with questions of diplomacy and questions of defence we require also flexible machinery—machinery which can, from time to time, be adapted to the changing circumstances of the world. This subject also has occupied our attention.

The memorandum proceeds accordingly to deal with the questions touching the internal relations of the Empire which were

<sup>1</sup> Cmd. 2768, pp. 13-30.

still outstanding. A change in the title of His Majesty to render it more appropriate to present conditions was recommended.<sup>1</sup> The debate over the status and functions of the Governor-General was resolved by the decision that he should fill the rôle of representative of the Crown in the Dominions and in no sense that of intermediary or agent for the Home Government. The difficult problems involving reservation, extraterritorial effect, and uniformity of Dominion legislation, including merchant shipping legislation, were declared to require further study, although the principle was admitted that, as regards Dominion matters, His Majesty is advised by the Cabinet of the Dominion involved, not by his British Ministers. The question of Privy Council appeals was also left open, save for the statement of principle that the wishes of the Dominion concerned and mutual consultation, if more than one part of the Empire was affected, should govern developments.

On the fundamental question of status, then, the Conference affirmed the principle of equality in Britannic relations so broadly and definitely that, as the subsequent debates in the several parliaments on the report of their proceedings showed,<sup>2</sup> it satisfied the bulk of the Nationalists and disarmed, if it did not entirely silence, the intransigents. The decisions regarding certain applications of this principle may seem less conclusive. Nevertheless the issues held over, the cases where what might seem Colonialist vestigia were not denounced, were still matters of controversy within the Dominions and could not be disposed of as yet. Two highly important specific decisions were rendered, however—that regarding the position of the Governor-General, to be considered presently, and that regarding the sources of advice to the Crown on Dominion affairs. The latter issue goes to the heart of the principle of constitutional equality; on the theoretical side it involves a pluralism most offensive to the hierarchical symmetry of traditional thought, practically it has become the touchstone of Dominion status.<sup>3</sup>

The simple hierarchical structure of the old Imperial system

<sup>1</sup> The words "the United Kingdom of" before "Great Britain" in the existing title were to be omitted.

<sup>2</sup> See *Journal*, vol. viii. *passim*.

<sup>3</sup> See the Articles by Professor Keith and Mr. Ewart respectively in *Canadian Historical Review*, vol. ix. pp. 102-116, 194-205 (June and September 1928).



afforded unity and concentration of responsibility. The British Cabinet alone rendered advice direct to the Crown regarding the affairs of all territories under its jurisdiction ; Dominion governments were subordinate and their representation in Imperial counsels was mediate. This same unity in policy and concentration of responsibility would have been retained in an Imperial federal system, save that the Cabinet which spoke for the Empire would in fact as well as theory represent the whole of it directly. The equalitarian theory of the Commonwealth, on the other hand, assumes a Sovereign who is titular head, not of one Empire, but of several British nations, each with its own government, all acting as independently as they desire, none in any constitutional respect superior to the others. His Majesty, in the domestic affairs of the Empire, in the appointment of plenipotentiaries, in determining the conditions of external relations, so the theory asserts, is now advised by six or seven separate and equal Ministries, each representing the interests of one of the British nations, none speaking for all. The Crown, moreover, in its several capacities, acts separately for each of them, the Treaty of Versailles for instance implying several ratifications for the Dominions, not one act for the Empire as a whole. Nationalists have devoted special emphasis to attaining recognition for this new constitutional principle, in which case Imperialists, perforce, must rely solely upon voluntary co-operation in order to secure any measure of compatibility in the recommendations emanating from sources so varied.

The disintegrating possibilities of this theory have not been overlooked by either party to the discussion. Those fictions regarding the status of the Crown which have served to mask constitutional changes throughout British history might now obscure a revolution in Imperial relationships. To combat the theory commentators who reveal the Austinian tradition in political thinking have joined hands with those who foresee the practical consequences of divided counsels within the Empire. Their favourite mode of defence against equalitarian and pluralistic contentions is to insist upon the potential if not the actual supremacy of the Imperial Cabinet, to argue that upon His Majesty's advisers in the United Kingdom the ultimate responsibility for all his acts still impliedly rests. They seemingly refuse to dissociate the idea of the Crown from that of the Crown

in Council of Great Britain. Hence in discussing channels of communication, they maintained that Dominion Premiers have access to the Crown only through the Governor-General, not directly as has the British Premier.<sup>1</sup> Furthermore, Professor Keith held, in regard to the Halibut Treaty, that the full powers of the Canadian negotiator must have been granted by the Crown on the advice and responsibility of the Imperial government.<sup>2</sup> Similarly he argued concerning the project of accrediting a Canadian Minister to Washington :

The fact that the Minister is accredited by the Imperial government obviates any objection to receiving him on the part of the United States (which, of course, is not bound to accept a diplomatic representative from any but a state in the technical sense of international law), and secures the ultimate control of the Imperial government, which can withdraw its authority if it thinks fit. The appointment is made, it must be noted, on the advice of the Dominion government, but on the responsibility and authority of the Imperial government, and the full powers granted to the Minister by His Majesty are issued on the ministerial responsibility of the Secretary of State for Foreign Affairs.<sup>3</sup>

This thesis is also a salient feature of his most recent and comprehensive treatise,<sup>4</sup> and the basis of his contentions regarding the legal unity of the Empire.

<sup>1</sup> The conflicting attitudes upon this point may be illustrated by the following colloquy in the New Zealand House (October 18, 1921) :

Their Prime Minister said and he (Mr. Malcolm) agreed with his sentiment, that New Zealand had no power to approach the King directly, but they had in the Canadian Parliament an assertion by Sir Robert Borden, in regard to access to the King : " The King, in each Dominion, acts only upon the advice of his Ministers for that Dominion."

The PRIME MINISTER : " I do not think that is quite correct."

MR. MALCOLM : "... I say that a situation in which the constitutional position is so badly understood and in which there are such emphatic differences is a situation that is bound sooner or later to cause endless trouble. Some day that difference would become material. . . . It does not matter how he (the Canadian Prime Minister) goes to the King. The question is that as Prime Minister he has access to the King, not through the British Government. . . . The debate in the Canadian Parliament shows that they recognise that they are going very much further than that : they insist that the King is King of Canada as well as King of Great Britain and that they have a right to approach him as King of Canada, in the same way as Mr. Lloyd George has the right to approach the King as King of Great Britain ; and General Smuts is of the same opinion because in 1919 he said : ' As a result of the Conference in Paris, the Dominions in future would, in regard to foreign affairs, deal through their representatives ' " (*Journal*, vol. iii. p. 178).

<sup>2</sup> In a letter to *The Times* (London), cited in *United Empire*, vol. xiv., at p. 196.

<sup>3</sup> A. B. Keith, *Dominion Home Rule in Practice*, pp. 38-39.

<sup>4</sup> *Responsible Government in the Dominions* (2nd ed., 1928), *passim*.

Mr. Jebb believes that the British Cabinet has the right to examine the merits of Dominion recommendations and to transmit them to the Crown only if they meet with their approval.<sup>1</sup> Sir John Salmond contended that the status of Dominion members in the Empire Delegation at Washington was in effect merely advisory to the British spokesmen.<sup>2</sup> Premier Massey also insisted on according pre-eminence to the Home Government and its Leader. Emphasising practical considerations he said :

Imagine half a dozen representatives, of half a dozen Dominions, making recommendations to the King, perhaps on the same business. They could not possibly agree, they would probably be antagonistic to each other, and the result would be chaos, perhaps worse. The Sovereign can only be approached through the Government of the United Kingdom along with representatives of the different Dominions and India. In each case the British Prime Minister speaks for the Dominions. In effect to-day, the Right Hon. David Lloyd George is not only Prime Minister of the United Kingdom, but he is also Prime Minister of the Empire. That is the position we have got into.<sup>3</sup>

Nationalist protagonists of the theory, on the other hand, regard it as a definitive criterion of Dominion status. Sir Edward Grey was invoked by Mr. Mackenzie King on one occasion for the statement, as early as 1908, that a Minister of the Crown in Canada had the same right as one in Britain to act in the name of the Sovereign upon authorisation of His Majesty.<sup>4</sup> Hon. C. J. Doherty claimed that the Canadian members of the International Joint Commission, a genuine international tribunal, were appointed by His Majesty on the advice of the Canadian Cabinet and "quite irrespective of the British Ministry."<sup>5</sup> Senator Dandurand argued that although Sir Robert Borden's appointment to Washington was made by Order in Council at Ottawa, yet the supremacy of the British Cabinet was retained by the fact that His Majesty's signature was secured through the Colonial Secretary, and that this implied an outward sign of subordination. The Order in Council should have gone direct from the Governor-General to His Majesty. Senators Belcourt and Casgrain maintained the same thesis.<sup>6</sup> On a later occasion Senator Dandurand

<sup>1</sup> *The Empire in Eclipse*, pp. 308-312 ; see careful review of this book from the Nationalist standpoint by one of the younger authorities on Canadian constitutional questions in *Canadian Historical Review*, vol. vii. pp. 161-166.

<sup>2</sup> *Infra*, ch. vii.

<sup>4</sup> *Ibid.* vol. ii. p. 573.

<sup>6</sup> *Ibid.* pp. 565-568.

<sup>3</sup> *Journal*, vol. iii. p. 167.

<sup>5</sup> *Ibid.* pp. 802-803 ; cf. pp. 805, 811-812.

argued that Canada was now a sister nation, that if it were necessary to have their Orders in Council revised by another Cabinet they would still be the subjects of the subjects of His Majesty, and would be inferior in status to the street cleaners of London, who could make and unmake the Cabinet which would be ruling over Canada.<sup>1</sup> In South Africa Mr. Beyers for the Nationalists expressed strong admiration for such an attitude in Canada on this question. It meant the assertion of effective equality with Britain, not the illusory equality he held to be implied by Professor Keith's contention.<sup>2</sup>

Since the discussion turned really upon a point of constitutional theory, concerning the implied or potential authority of the British Cabinet rather than the day to day exercise of it, it tended under the circumstances to become academic, and those elements in the Dominion parliaments professedly most interested in it appeared to find the securing of data for a satisfactory answer somewhat difficult. Transmission of Dominion communications was one criterion. When, however, during the debate on the Liquor Convention with the United States (March 21, 1924), Mr. Meighen argued that, the British Government having been apprised of a treaty and having agreed that it related only to Canada, the wording of the transmission to His Majesty would constitute a recommendation on their part, Premier King both approved the retention of the existing mode of transmission through the Home Government rather than to the Crown direct, and demurred to the conclusion which Mr. Meighen drew therefrom. The Premier based his denial of the Opposition contention upon the understanding reached upon this question at the Imperial Conference of 1923. He cited the point raised by Sir Cecil Hurst on this occasion. In the event of improper advice being given His Majesty, and the issue of impeachment arising, would proceedings be instituted against the British Prime Minister or Foreign Secretary, or the Prime Minister of the Dominion concerned?

I gathered, I think rightly (said the Premier), that the interpretation which the Foreign Office placed upon the matter to which my right hon. friend just referred is this, that the Government of the Dominion which was tendering the advice in such a case was the Government that was responsible; that it was advising His Majesty directly in

<sup>1</sup> *Journal*, vol. vi. pp. 331-332.

<sup>2</sup> *Ibid.* vol. iv. p. 619.

regard to matters which were of sole concern to the Dominion ; that in the transmission of that advice the British Government was acting as the channel through which that advice was transmitted, but was not the Government which was formally tendering the advice.<sup>1</sup>

The problem was passed upon in principle but not definitively settled by the Imperial Conference of 1926. Regarding the status of Dominion plenipotentiaries the Conference memorandum states : " Plenipotentiaries for the various British units should have full powers issued in each case by the King, on the advice of the Government concerned, indicating and corresponding to the part of the Empire for which they are to sign." The complementary principle is set forth in the section dealing with the reservation of Dominion legislation :

On this point we propose that it should be placed on record that apart from the provision embodied in constitutions or in specific statutes expressly provided for reservation, it is recognised that it is the right of the Government of each Dominion to advise the Crown in all matters relating to its own affairs. Consequently it would not be in accordance with constitutional practice for advice to be tendered to His Majesty by His Majesty's Government in Great Britain in any matter appertaining to the affairs of a Dominion against the views of the Government of that Dominion.

Although the issue of Dominion legislative competence was left open, these statements of principle, together with the initial declaration of Britannic equality already quoted, should effectively dispose of the contention that in matters of Dominion concern the British Cabinet may constitutionally participate in any real sense in rendering advice to His Majesty. Yet per-during forms controvert this viewpoint, and the fiction of implied participation is invoked to bolster up a legal theory of the Empire.

The basis of the more conservative theory of Imperial relationships is the contention that, in Dominion matters, although the action may be initiated on the advice of a Dominion cabinet, the advice of the British Government is signified by the counter-signature of the Secretary of State to the essential instruments—for instance the warrant for affixing the Great Seal in granting full powers to a Dominion plenipotentiary or in assenting to ratification.<sup>2</sup> Assuming this authorisation may be refused, as

<sup>1</sup> *Journal*, vol. v. pp. 330-332.

<sup>2</sup> E.g., Keith, *Responsible Government*, pp. 840, 881-882 ; Corbett and Smith, *Canada and World Politics*, pp. 53-54.

he is politically responsible to the British House, this implies the supremacy of the latter over the Dominion parliaments, and the constitutional unity of the Empire. Plainly this theory is in flat contradiction to the declarations of equality in 1926 just cited. It seems difficult to reconcile legal form with constitutional principle save by the theory that the rôle of the Secretary of State in such cases has become purely ministerial.<sup>1</sup> Moreover, when the exercise of discretion has become too unwise politically to be invoked, how can the act be held to have been done on the authority of the Home Government or the Secretary of State be held accountable for it? When the exercise of discretion has gone, the function becomes analogous to that of the King in relation to legislation.

This Conference report of 1926 is an extraordinary document, and a remarkable reflection of the constitution which it expounds. Hence inconsistency is its perhaps most striking feature. The key to an understanding of it probably lies in the distinction so effectively drawn by Sir Robert Borden between legal power and constitutional right. On the one hand the legal features of the Imperial constitutional edifice were not attacked, and remain as commentators have authoritatively expounded them. On the other hand conclusive pronouncements were made as to the principles governing the operation of these institutions, which must be regarded as having overriding authority. An act of the Home Government or Parliament in contravention of principles enunciated by the Imperial Conference, though "legal," should now be regarded as "unconstitutional," even if British traditions eschew a judicial determination of such matters. At the same time, since recent changes have involved the custom rather than the outward legal form of the constitution, whatever the political effect as regards international relations may be, they can hardly be said to have affected the international status of the British Nations, or to be properly the concern of foreign Powers.

The 1926 Conference session is also noteworthy in that its decisions dealt more adequately with the problems of machinery of co-operation within the Commonwealth than had been attempted on any occasion since 1907. Since it presupposes the main-

<sup>1</sup> For instances of the Home Government acting as the agent of the Dominions, see Keith, *War Government of the Dominions*, pp. 173, 176.

tenance of the Commonwealth, this subject has attracted most interest in Imperialist and Co-operationist circles, but certain aspects of it, such as the status of the Governor-General, have roused most attention among Nationalists. Even after the settlement of the federation issue, Imperialists continually reverted to its importance and made it the subject of increasing agitation on their part. If they had doubts of the will to co-operate throughout the Empire, these were not expressed. They stressed the necessity of affording every aid to its promotion if rapid decentralisation and disintegration were to be avoided. After each episode in Imperial foreign relations—Versailles, Chanak, the Ruhr occupation, Lausanne, and the repudiation of the Conference decision regarding the Singapore base were outstanding instances—they reverted to this theme and pointed the moral to be drawn. If co-operation had been conspicuous, they adduced this to demonstrate the practicability of their ideal, and if the reverse had been the case, they lamented the inadequacy of existing arrangements. As Mr. Balfour stated it to the Empire Parliamentary Association :

'The difficulty which has constantly been present to the statesmen both in the Dominions and at home for a generation or more is still with us—the difficulty of finding some organisation which shall increase unity of action and unity of sentiment and shall not interfere with the absolute autonomy of the great constitutional elements of this community of nations.'<sup>1</sup>

Meanwhile various developments which might or might not prove in the direction of this outcome had been in progress, and were given their final sanction by the Conference, so that some analysis of the existing machinery of co-operation within the Commonwealth may now be undertaken.

### *Machinery of Co-operation within the Commonwealth*

After the repeated rejections of the federation project and endorsements of the confederate basis of Imperial organisation, it has become clear that reliance in the future must be placed upon those agencies of co-operation which have been the direct products of, or have at least proved themselves adaptable to, a Britannic confederacy. The most outstanding and effective of these is, of

<sup>1</sup> December 15, 1919; quoted in *Canadian Annual Review* (1919), p. 137.

course, the Imperial Conference.<sup>1</sup> By the series of accepted precedents and formal resolutions already noted, the status, organisation and functions of this body have been adequately determined, and are now as clearly understood as those of any other outstanding British political institution. International conditions, as well as the domestic exigencies of the various governments, have forced modifications of the 1907 decision that its sessions should be quadrennial. The increasing emphasis in the Conferences upon foreign affairs has made for greater frequency, at one time in fact it seemed as if annual meetings were to become the rule. Although two- or three-year intervals now seem unavoidable, in view of existing Imperial relations this would seem to meet the needs of the situation.

It is hoped that in the preceding chapters ample testimony has been adduced as to the value of the various Conference sessions in promoting co-operation throughout the Empire, and to the superiority of personal consultation over attempts to maintain contact and secure co-ordination of activity merely by the method of long-range correspondence or cable. At every Conference this fact was stressed by the Premiers. 'True, the reality of this consultation has frequently been questioned, most conspicuously perhaps by two men as divergent in attitude as Mr. Jebb and Mr. Ewart.<sup>2</sup> Both these commentators, stressing the fact that the formal record of each session shows a lengthy statement by the British Foreign Secretary upon the existing international situation, in which *information* is furnished the Premiers regarding the policies and conduct of his Department, and that the Conference then registers approval of it, argue that the actual participation of the Dominion governments in Imperial foreign politics is highly illusory, tending to be a mere ratification of the acts of the Home Government. In the present writer's opinion at least, there is much circumstantial evidence pointing to the inadequacy of this deduction. Dominion influence appears to have been potent in the shaping of Imperial policy on several occasions when matters were still under advise-

<sup>1</sup> Professor Keith's somewhat arbitrary appraisal of the valuable and time-wasting features of Conference discussion (*Imperial Unity*, pp. 548-561) stresses the strictly constitutional problems to the neglect of the other important aspects of Imperial relationships.

<sup>2</sup> R. Jebb, *The Empire in Eclipse*, pp. 32-38; J. S. Ewart, *Canada and British Wars*, pp. 69-72.



ment. The criticism in any case hardly applies to the Conference as such, but rather to the consequences of defective machinery for consultation during the intervals between sessions. This is the reason for the Premiers' being called upon frequently to approve *faits accomplis* or to consider problems the antecedents of which they imperfectly comprehend. Moreover, any appearance of supineness upon their part is for themselves to remedy. The Imperial Conference may fairly be considered adequate for its purposes. The institutional shortcomings lie elsewhere, and the serious maladies of the Commonwealth lie deeper even than these.

Although its fundamental features would seem to be as definitely established as any constitutional principle well could be, the relation of the Conference to the constituent governments was perennially debated in all parliaments of the Empire. It is not essential to undertake a detailed analysis of this problem here, or do more than point out its bearing on the effectiveness of the Conference as an agency of co-operation. It is easy to see why the various Oppositions should argue the necessity for parliamentary control over the Conference activities or endorse such schemes as that from time to time broached for representation in the Conference of parties other than those in power. Furthermore, since these Oppositions generally comprised the more Nationalistic elements, their normal itch for power was reinforced by a sincere suspicion of the consequences of the Conference deliberations. They feared the expansive influence of the Imperial atmosphere upon the narrow self-sufficiency of outlook which they desired their representatives to retain. As General Hertzog put it, on the eve of the 1921 session, even if the resolutions taken could not bind the Dominion, yet they might bind the Premier and his colleagues, thus constituting a moral obligation which would in effect commit the Dominion.<sup>1</sup> Again he answered General Smuts' strictures on the Home Government's failure to live up to the Imperial preference decision of 1923 by asserting that his stand implied subordination of the Union Parliament to an Imperial authority, and their interests to those of the Conference.<sup>2</sup>

In accordance with this viewpoint, prior to the session of 1921 for instance, Mr. Mackenzie King endeavoured to pass

<sup>1</sup> May 23, 1921; *Journal*, vol. ii. p. 671.

<sup>2</sup> January 29, 1924; *ibid.* vol. v. p. 374.

a motion specifically restricting in several respects the taking of steps affecting Canada ;<sup>1</sup> in New Zealand Mr. Malcolm urged that the invitations to the Conference should be addressed to the various parliaments, which would appoint their own delegates *ad hoc* in order to forestall usurpation by the Premiers ;<sup>2</sup> Mr. Holland moved that representation should be through their High Commissioner instructed by Parliament,<sup>3</sup> and in South Africa General Hertzog made a similar proposal.<sup>4</sup> In anticipation of the 1923 session, a Labour member proposed limitations in the Australian House,<sup>5</sup> while simultaneously in New Zealand the Labour amendment to Mr. Wilford's no confidence motion demanded that their spokesmen should go as delegates specifically instructed by Parliament, not as representatives relying on their own discretion.<sup>6</sup> So also, in the South African Assembly, Colonel Creswell moved that promises made by a government at the Conference imposed no binding obligation upon a Dominion until ratified by its parliament, a proposition which was strongly endorsed by General Hertzog.<sup>7</sup> In the British House Mr. Ramsay MacDonald took the lead in repudiating the idea that a decision of the Conference need be considered binding upon Parliament.<sup>8</sup>

The Premiers in general took pains to emphasise their awareness of this confederate principle. Even Mr. Massey upon one occasion, in deference to the Labour Opposition, moved in the New Zealand House, "That resolutions passed at Imperial Conferences are only obligatory upon any Dominion of the Empire if and when they are approved by the parliament of that Dominion,"<sup>9</sup> and Premier Bruce in Australia formally submitted the resolutions of the 1923 Conference to parliamentary ratification.<sup>10</sup> At the same time the Premiers were unanimous in stressing the futility of the Conference and the sacrifices entailed

<sup>1</sup> April 27, 1921, negatived 96 to 64 ; *Journal*, vol. ii. p. 545.

<sup>2</sup> October 18, 1921 ; *ibid.* vol. iii. p. 118.

<sup>3</sup> March 17, 1921 ; *ibid.* vol. ii. pp. 648-649.

<sup>4</sup> May 23, 1921 ; *ibid.* p. 673.

<sup>5</sup> June 14, 1923 ; *ibid.* vol. iv. p. 574.

<sup>6</sup> June 14, 1923, negatived 50 to 10 , *ibid.* p. 805.

<sup>7</sup> January 29, 1924, negatived 61 to 54 ; *ibid.* vol. v. pp. 362-374.

<sup>8</sup> January 15, 1924 ; *ibid.* p. 5.

<sup>9</sup> July 5, 1924 ; *ibid.* p. 112.

<sup>10</sup> March 27, 1924 ; *ibid.* p. 565. Moreover he urged strongly that this be made the regular practice, in order to secure continuity to Conference policies (Cmd. 2301, pp. 9 and 11). It was not until June 21, 1926, and in anticipation of the next Conference, that Premier King called for a ratification of the 1923 resolutions by the Canadian House (*Journal*, vol. vii. pp. 530-579).

by attendance at its sessions if their hands were to be tied by parliamentary instructions or if its decisions were not to be carried through.

The situation, then, was simply this, that the effectiveness of the Conference as an agency of co-operation depended primarily upon two requisites—that it should constitute a meeting of the responsible heads of the various British governments, who should be perfectly free to consult together upon all matters of Imperial interest and reach whatever conclusions should appear desirable, and that these Premiers should then each utilise the political power which his position implied in order to carry through his own parliament the measures called for by these decisions. In the absence of a central government, concerted action could be effected only by such means. Hence the insistence of Co-operationists on these requisites and the general attitude of suspicion on the part of the Nationalists towards the Conference as an institution.

There remained two difficulties ; in a confederacy the final decision must rest with the constituent parliaments, and furthermore it is a basic principle of the British constitutional system that no cabinet or parliament may bind its successor. It would seem that the course pursued by Premiers Massey and Bruce—endorsing parliamentary ratification for the Conference decisions—is the correct one, and goes as far as is practicable towards removing the first of these difficulties. As for the second, it is inherent in the British parliamentary system ; it permits a flexibility which is essential and is in fact regarded as one of its chief advantages. The recognition merely of moral obligations inherited from predecessors has, in the main, proved sufficient to secure continuity of policy, and departures from this principle, as by the first Labour Government in Britain, will, it is to be hoped, prove exceptional. Without such latitude the Imperial constitution would rest upon precarious foundations indeed.

The effectiveness of the Conference, in the last analysis, depends upon the degree of will to co-operate displayed by the constituent governments. The principal crisis of recent years arose from the attitude of the Home Government, or rather of all parties in the United Kingdom, towards the Imperial preference resolutions agreed to by the Economic Conference of 1923. The standpoint of active Co-operationists regarding the Conference

may be illustrated by two statements upon this issue. The first is by Premier Bruce of Australia in the course of an address to the Royal Colonial Institute (December 31, 1923) in which he said :

The Dominions are not entitled to try to force the hand of Britain by suggesting that there would be any breach of faith if anything agreed to at the Conference was not carried into effect. But, while I believe that, I also believe that it would be tragic if effect were not given to the resolutions. I believe that, having come together as representatives of the Dominions for many weeks and, out of our united wisdom, arrived at certain decisions, it will be a fatal blow at the unity of the Empire and the accomplishment of those things which we are all determined to see achieved, if, when we have separated after the Conferences, the whole of the results are destroyed by no effect being given to the resolutions passed and no real consideration afforded to the conclusions that we have arrived at.<sup>1</sup>

Premier Smuts, in the South African Assembly (January 29, 1924), took a similar stand :

The British Prime Minister has fairly said that the Government would lay the resolutions before the House of Commons ; as far as his position of Leader is concerned, he had agreed to carry out the terms, and we are grateful as far as the Dominions are concerned. That is not the only matter. The question is : What is going to emerge from Parliament ? I do not deny the right of Parliament to veto these resolutions, but, . . . to my mind, no greater disservice could be done to the British Empire and to Canada and South Africa . . . and the Empire as a whole than the vetoing of these resolutions.<sup>2</sup>

In contrast, the negative attitude towards the Conference, one which obviously militates strongly against its utility as an agency of co-operation, is exemplified by the position which Premier Mackenzie King tells us he assumed at the 1923 session :

Repeatedly, in regard to questions which were presented before the Conference, I stated that, so far as I was concerned, I was simply a representative of the Government of Canada, I was one among a number of Ministers, and that all my colleagues should have the same right to pass upon a question which affected the people of Canada as I had, just as British Ministers had equal rights with the Prime Minister of Great Britain. But I went further than that. I said that not only would I hesitate to speak in the name of the Government of Canada, but that I would assert, with respect to any matters likely to bind the people of Canada in any way, that the Parliament of this country should have the final say, and I took the position that our Government and

<sup>1</sup> *United Empire*, vol. xv. pp. 109-110.

<sup>2</sup> *Journal*, vol. v. p. 371.

our Parliament, with respect to Canada and its affairs, were in exactly the same position as the Parliament of Great Britain was with relation to the affairs of the people of Great Britain.<sup>1</sup>

A passing reference might be made in this connection to the analogous agitation for an extension of parliamentary control not merely over the Conference activities but over the conduct of external relations in general by the various Governments. Here again the normal sentiments of the Oppositions were abetted by their Nationalistic proclivities, although on the other hand no Premier was more conservative and aloof in his attitude toward parliament in this regard than was Sir Wilfrid Laurier while in office. Much progress was made by all parliaments after the War, not merely in securing the submission of treaties and other governmental acts to parliamentary approval, but also in persuading the Premiers to set aside sufficient time for adequate discussion of policies prior to decision upon them, and to take the Houses more fully into their confidence regarding current developments. Here the Home Government was inclined to lag behind the Dominions, although the most informed and spirited discussions of foreign affairs occurred at Westminster. The outstanding episodes in this connection were the striking innovation by the Labour Government of Great Britain to the effect that during their régime all treaties would be before the House for twenty-one days prior to ratification, and that it would be informed of "all agreements, commitments, and understandings which may in any way bind the nation to specific action in certain circumstances,"<sup>2</sup> the repudiation of this policy by their successors in office,<sup>3</sup> and the passage of a resolution in the *Dail* (February 5, 1926) endorsing full parliamentary control over foreign relations.<sup>4</sup>

The importance of this tendency, however admirable it may be on general democratic principles, is that, like the enhancement of parliamentary control over Conference activities or over Dominion participation in Empire wars, it makes for decentralisation within the Empire. Clearly the more trammelled governments are by expressions of opinion in parliament, by conventions limiting their discretion in external relations, the less free are they to secure popular approval after the event by recourse to reasons of State and an attitude of Olympian aloofness, and the

<sup>1</sup> *Journal*, vol. v. p. 341.

<sup>2</sup> *Ibid.* vol. vi. pp. 28-29, 223-226.

<sup>3</sup> *Ibid.* p. 229.

<sup>4</sup> *Ibid.* vol. vii. pp. 392-401.

wider becomes the area which must be persuaded beforehand. Back benchers and their constituents are apt to be less informed and less interested than members of the Government upon such issues, more provincial, it might be said, in their outlook, and the mobilisation of co-operative activity be retarded in consequence.

The Imperial Conference, then, has survived all alternative institutional devices, and now constitutes the supreme council of the Britannic confederacy. It is still the most effective agency of Imperial co-operation. The great persistent problem of machinery yet to be solved is the securing of effective contact after it has adjourned, in order to provide for necessary modifications in the policies it has formulated, to meet new developments, and to make sure that the call for decisive moves in face of an emergency shall not take the Dominions by surprise and embarrass the advocates of concerted action. Attempts to solve this problem, as was seen, focussed in an attack on the Colonial Office and took the form of efforts on the one hand to make the British Prime Minister the direct channel of communication and on the other to secure the establishment of a truly Imperial secretariat. The former objective was reached in the 1918 War Conference,<sup>1</sup> the latter has thus far proved unattainable. The only success achieved prior to the War was a bifurcation of the Colonial Office organisation and the establishment of a new bureau, known as the "Dominions' Department," for the handling of Dominion affairs.<sup>2</sup> In 1925 a further modification, which still retained the original principles, was made. The Colonial Secretary adopted the additional title of "Secretary of State for the Dominions," and the Dominions Department was dignified by a separate vote in the estimates and the investiture of a Parliamentary Under-Secretary all its own.<sup>3</sup> This was a mere matter of departmental reorganisation within the Home Government in reality much less fundamental than, say, the establishment of the Ministry of Health. Yet its "psychological"

<sup>1</sup> Even this failed to satisfy the extreme Nationalists, who seemed to aim at a complete divorce from the Colonial Office. For instance, during the Canadian debate on the Lausanne Treaty, Mr. Woodsworth, noting that the communications from the Home Government were signed by the Colonial Secretary, heckled the Premier as to why these had not come from the Sovereign to the Governor-General (*Canadian Hansard*, June 9, 1924, p. 3409).

<sup>2</sup> *Supra*, ch. ii.

<sup>3</sup> See statements by the Prime Minister and Colonial Secretary in the British House: June 11 and July 27, 1925 (*Journal*, vol. vi. pp. 444-445, 675-678, 685).

effect in the Outer Empire was doubtless important, in that it marked a recognition of Dominion status calculated to allay much carping criticism on the part of some Nationalists who found issues of form more within their comprehension than those of substance.

At the present time the idea of a genuine Imperial secretariat of the type originally proposed is by no means dead, for it has occasionally been endorsed in various quarters of recent years, notably by Premier Bruce of Australia, and its intrinsic merits are still recognised. In his reply to Premier MacDonald's communication of June 23, 1924, regarding Imperial consultation, Mr. Bruce stated his view, through the Governor-General, emphatically as follows :

With regard to questions other than foreign policy, my Government is of opinion that the establishment of a permanent Imperial secretariat responsible to the Prime Ministers of all the self-governing parts of the Empire, whose task would be to prepare for the Imperial Conferences, carry out all secretariat work during the sittings of such Conferences, follow up all resolutions and decisions arrived at, and keep the Dominions constantly informed of developments between the Conferences, would go a long way towards solving the problem of effective and continuous consultation. This secretariat would also embrace existing Imperial committees such as the War Graves and Shipping, and the Economic Committee when established. It would not merely be a connecting link between the individual Dominion governments and the British Government, but also between the governments of the different Dominions. At the present time the secretariat for Imperial Conferences is provided by the British Government, together with representatives of the Dominions concerned, but immediately the Conference is over the secretariat is broken up, and no effective machinery exists for keeping the Dominions continuously informed as to developments or alterations necessitated by changed circumstances. In the opinion of my Government a great improvement would be effected by the establishment of a permanent Imperial secretariat.<sup>1</sup>

Since the ghost of Imperial federation has long since been laid, and there remain no real grounds for suspecting a menace to Dominion autonomy, what valid objections can now exist to the establishment of an Imperial secretariat along the lines suggested by Mr. Deakin in 1907—that is, a staff appointed by and responsible to the Conference itself, whose expenses would be met by quotas apportioned among the several governments, and whose duties

<sup>1</sup> Cmd. 2301, p. 10.

would be essentially administrative in nature? The original proposal was rejected upon two grounds: that it cloaked an effort to establish an Imperial council and so menaced Dominion autonomy, and that, as it would be answerable to nobody, it violated the British principle of responsible government. Since the idea of an Imperial council is now dead and Dominion autonomy impregably intrenched, it is difficult to see the present validity of the first of these objections. The second was probably much overrated at the time, and has subsequently been exploded by the satisfactory working, under far more difficult conditions than an Imperial secretariat would face, of a similar type of organisation, the Secretariat of the League of Nations.

The British League has as great a need of its own machinery. Such an agency would organise the assembling of needed information, would integrate the conduct of special investigations, and would keep in touch with action taken upon Conference resolutions. It would constitute an invaluable clearing-house for matters of common concern, and would afford an agency which from its inherent nature would promote *the practice* of co-operation, despite the fact that it would be vested with no power of decision whatever regarding issues of policy. This is especially significant in view of the fact that a system of separate Dominion envoys in and of itself offers no incentive to communal action. Such a system might well co-exist with the secretariat, and evidence active co-operation rather than duplication of functions. In fact the secretariat would in all probability be able greatly to assist the others in their work, and would be in a position to accomplish much more than could the Ministers acting independently.

The other direction in which solution has been sought for the problem of maintaining contact during the intervals between Conference sessions has been by providing for continuous Dominion representation in the United Kingdom—this, for instance, was the purport of the second of the 1918 Conference resolutions dealing with channels of communication. In the main the question has centred upon the status and functions of the Dominion High Commissioners in London, but the alternative project of Dominion representation through Ministers of Cabinet rank permanently resident in the United Kingdom has been agitated perennially, and for a time attracted the principal



attention. When the problems involved in the practical working of either proposal are analysed, they become that of supplying what is to all intents and purposes ambassadorial representation for the Dominions in London. Hence Nationalists as well as Imperialists may with consistency endorse them, since the degree of co-operation resulting therefrom would be determined by the Dominion governments rather than by their emissaries.

Prior to the War, representation of the Dominions in the United Kingdom through members of their Cabinets was distinctly intermittent or *ad hoc*. It concerned only the Imperial Conference and, latterly, the Committee of Imperial Defence. The Ministers' headquarters were in the several Dominions, their first duty was to attend to matters at home. The minimum interval between regular Conference sessions that could be agreed upon was four years, with possible attendance at occasional subsidiary Conferences in addition; the interim business was handled by correspondence. Proposals for continuous representation were still inextricably involved with Imperial federation, and upon that rock of offence they were shattered. The necessity of more frequent visits to London, however, resulting from the imminence of the foreign menace and the admission of Dominion representatives to meetings of the Committee of Imperial Defence, complicated the situation. The most natural suggestion under the circumstances was Sir Joseph Ward's, that the High Commissioners be utilised as Dominion spokesmen. But it was unanimously decided at a meeting of the Committee (May 30, 1911) that representation should be by Ministers responsible to their own colleagues and parliaments.<sup>1</sup> However, this victory for the principle of parliamentary government, as we have seen, evoked all the latent difficulties of the problem. Besides the Nationalist suspicion and opposition roused by any tendency to closer contact with the Home Government, there was the persistent factor of the great distances to be traversed, with the consequent enforced absence for long periods at a stretch of Ministers, especially Prime Ministers, whose presence was in all probability essential to the conduct of public business at home.<sup>2</sup>

<sup>1</sup> Cd. 6560, p. 2.

<sup>2</sup> For instance, Premier Massey and his colleague sailed from New Zealand in August 1916 to confer with the Home Government; they had booked return passages to leave late in December, but the developments in Britain caused a postponement, and they did not reach Auckland again until June 25, 1917 (*Round Table*, vol. viii, pp. 204-206).

This meant that if visits were to become as frequent as, say, once a year, Ministers must, in effect, choose between serving their country at home or in London, they could not combine both.

How serious was the obstacle to representation by means of active members of Dominion Cabinets which the claims of domestic duties presented was well illustrated by Premier Borden's course regarding his naval policy. He had continually stressed the Imperial emergency and the need of early consultation with the Admiralty, yet a long interval elapsed before he was able to act. The new Government assumed office October 10, 1911, and met Parliament November 17; he did not sail until June 25, 1912, and it was not until December 5, during the following session, that his programme was submitted.<sup>1</sup> A proposal that Mr. Hazen, the Canadian Minister of Naval Affairs, should have preceded his chief to Britain, instead of remaining for the session, was dropped on the ground that his services were needed in Parliament, and the wisdom of this decision seems to have been amply demonstrated.<sup>2</sup> The same difficulty, as was noted in the preceding chapter, was stressed by the Dominion governments in their replies to Mr. Harcourt's despatch regarding Dominion representation on the Committee of Imperial Defence.

During the War the situation was, of course, wholly anomalous. So great a part of the life of the Dominions, so to speak, was being carried on overseas, and so many decisions vital to their interests were being made at the heart of the Empire (to say nothing of the subordination to a greater or less degree in all quarters of parliamentary to cabinet government), that the presence of Dominion Ministers in Britain became virtually a constant phenomenon. Not only did Premiers attend in person, but the colleagues who accompanied them were frequently numerous; in fact, during the last years of the War, the Canadian Ministers and their staffs established offices in Whitehall Gardens, where five Cabinet members divided amongst them the major aspects of their country's problems of readjustment.<sup>3</sup> During a great part of the conflict, moreover, Canada maintained in London a Ministry of Overseas Military Forces.<sup>4</sup> Nevertheless there were throughout

<sup>1</sup> Canada, *House of Commons Debates*, session 1912-13, col. 578; *Canadian Annual Review* (1912), p. 50.

<sup>2</sup> *Round Table*, vol. ii, p. 539.

<sup>3</sup> *Canadian Annual Review* (1918), p. 421.

<sup>4</sup> *Ibid.* (1918), p. 410; Borden, *Canadian Constitutional Studies*, p. 109

this period sporadic complaints in the Dominions, and reiterations of the argument that during such times of crisis the proper place for their leaders was in charge of affairs at home—criticisms which appear to have had a firmer basis than mere Opposition political tactics. Even the announcement that Sir Robert Borden was to be absent for the sessions of the Peace Conference caused some murmuring.<sup>1</sup>

With the cessation of hostilities there reappeared all the peace-time difficulties in the way of frequent consultation among Cabinet Ministers whose major responsibilities still focussed upon domestic politics within the several Dominions. The suggestion that the Imperial War Cabinet be made a permanent institution, assembling annually, died with Imperial federation. If the obstacles to what has been termed "itinerant" representation by Dominion Ministers seemed as great as ever—suggestions offered in the New Zealand and South African Houses that their time be equally divided between home and London obviously meant little service in either place<sup>2</sup>—those militating against the effectiveness of representation by Cabinet Ministers permanently resident in London had also become clearer. The project was favoured by various spokesmen in the Home Parliament, by Sir George Perley in Canada,<sup>3</sup> by Mr. Wilford<sup>4</sup> and Sir John Sinclair<sup>5</sup> in New Zealand, and at first by Premier Bruce in Australia, although after attendance at the 1923 Conference he pronounced the difficulties insuperable,<sup>6</sup> but in general the reaction in the Dominions was adverse. In fact, despite the prospect of rapid improvement in the facilities for travel, especially by air, in no case save that of the Irish Free State and perhaps Canada did this mode of representation promise to be workable.

The essential feature of the proposal was that the Dominion Minister should have behind him the whole weight of the government, that he should be able to speak for it in the authoritative sense that its Prime Minister could, and not in the rôle of a mere instructed ambassador. The fundamental obstacle to the

<sup>1</sup> *Round Table*, vol. viii. pp. 204-205; vol. ix. p. 380; *Canadian Annual Review* (1918), p. 418; Rowell, *British Empire and World Peace*, pp. 149-151.

<sup>2</sup> *Journal*, vol. v. pp. 121, 856; cf. Sir Joseph Ward's comments at the 1917 Conference (Cd. 8506, p. 57).

<sup>3</sup> *Canadian Annual Review* (1923), p. 110.

<sup>4</sup> *Journal*, vol. v. p. 121.

<sup>5</sup> *Ibid.* vol. iii. p. 150.

<sup>6</sup> *Ibid.* vol. iv. p. 834; vol. v. p. 575; *Round Table*, vol. xiii. p. 698.

attainment of this desideratum was effectively stated by Sir Francis Bell as follows :

I ask honourable gentlemen whether we can seriously contemplate having in London a man entitled to speak for the Government of New Zealand. You cannot have the Prime Minister there except at the Imperial Conferences. I accept the Imperial Conferences as real Conferences, and as the method, and the only method, of consultation. A Minister who would consent to leave New Zealand as a member of the Cabinet and to reside in London would, in the nature of things, probably not be a very prominent man in political life. It is certain that he would not have been away from the country a year before he would be distrusted, in the sense that he would have lost touch with the matters that would be alive around us. Whether it would be—as the Imperial government, no doubt, thinks, or, at least as many members of the Imperial government think—of advantage to be able to call to their immediate counsel a Minister from each Dominion, or not, it is certain that the Minister would never venture to speak on behalf of his Dominion without reference to the Cabinet in his own country, or, if he did, he would speak without authority. I am confident that this would be so, and that if he spoke inconsistently with the view taken of the subject by his Cabinet here he would be repudiated.<sup>1</sup>

A thoroughgoing scheme of Imperial federation would have solved the problem by the creation of a parliament and cabinet for the Empire entirely distinct from the various local governments, and elected upon Imperial issues solely, but in the absence of such a system and with the consequent necessity of reliance upon the co-operation of the various local governments, it would seem that Sir Francis Bell has advanced an insuperable impediment to co-operation through resident Dominion Ministers, and that recourse must be had instead to a system of quasi-ambassadorial representation. Hence the more recent tendency has been toward securing this rather by enhancing the status of the Dominion High Commissioners and vesting them with more distinctly political functions.

The High Commissioner was essentially the commercial representative of the Dominion in the United Kingdom. The office was consular rather than diplomatic. Its creation was a Nationalistic manifestation, the evidence of that independent economic development which followed the grant of fiscal autonomy to the Colonies. Moreover, the appointment of A. T. Galt

<sup>1</sup> In the Legislative Council of New Zealand, February 9, 1923 (*Journal*, vol. iv. pp. 363-364; *Round Table*, vol. xv. p. 628).

in 1879 to the earliest of these positions was marked by an unsuccessful effort on the part of the Canadian Government to secure for him "a quasi-diplomatic position" and authority to act for the Dominion in the negotiation of commercial treaties.<sup>1</sup> The Federationists, however, were well awake to the possibility of utilising these official representatives of the Dominions, continuously resident in the United Kingdom, as the nucleus of an Imperial Council. As early as 1885 the Marquis of Lorne suggested collective consultation of the High Commissioners and Agents-General by the Home Government, and their close association with diplomatic negotiations affecting the Dominions.<sup>2</sup>

Undoubtedly suspicion of Imperialist designs was in large measure responsible for the reaction under Laurier against the extension of these officials' functions into the political sphere which had been adumbrated by the activities of Sir Charles Tupper.<sup>3</sup> In any case, when in the 1907 and 1911 Imperial Conferences machinery for securing more direct communication between the Dominions and the Home Government and greater continuity between Conference sessions was under discussion, this idea was given sufficient prominence to link expansion of the High Commissioner's functions with the fate of proposals which were reacted to as entering wedges for Imperial federation. The general attitude of the Nationalists was one of marked suspicion towards all innovations in Imperial relationships, which rendered them satisfied that difficulties with the Mother Country should be handled primarily by correspondence. This led them to take a restrictive view of the Commissioners' functions and resolve to keep a tight rein over their activities. Certainly the mere necessity of finding a new type of man for the office should not have appeared a serious problem to men not out of sympathy with the principle of the proposal itself.

Such an objection, however, did not apply to consultation with and action by the individual Commissioners—that is, to their elevation to the status of Ambassadors in Britain of their several Governments. Sir Wilfrid himself testified to the valuable services rendered by the Commissioners in this regard, even under existing arrangements :

<sup>1</sup> Keith, *Selected Speeches and Documents*, vol. ii. pp. 143-155.

<sup>2</sup> Lorne, *Imperial Federation*, passim, esp. pp. 57-58, 113-115.

<sup>3</sup> Cf. Jebb, *Imperial Conference*, vol. ii. pp. 126-127; Keith, *Imperial Unity*, pp. 536-548.

We communicate direct with the Imperial government, that is to say, the Governor-General communicates direct with the Imperial government, but I am sure there are constantly occasions when a despatch is sent to the High Commissioner asking him to press the matter on and to see the Secretary of State for the Colonies and represent to him the views of the particular Dominion government. We know that besides the official despatch there is the confidential talk, in which more meaning is conveyed than in a despatch.<sup>1</sup>

Such an enhancement of their status, provided they did not conspire for co-operative action, would have been a step entirely Nationalistic in tendency.

The advent of the War and the establishment of the Imperial War Cabinet merged the problem of elevating the High Commissioner's office with that of diplomatic representation of the Dominions through the medium of Ministers of Cabinet rank. Meanwhile the quasi-diplomatic activity of the Commissioners increased.<sup>2</sup> Many of the principal expositions of Dominion aims and attitudes came in the form of public statements by these officers.<sup>3</sup> Several of the positions were held by Dominion statesmen of prominence. Sir George Perley, while Acting High Commissioner for Canada, was at the same time a member of the Dominion Cabinet,<sup>4</sup> and the appointment of Mr. Fisher to represent Australia also marked an enhancement of the political importance of the office.<sup>5</sup> More recently Mr. N. W. Rowell, in a strong plea for effective diplomatic representation of the Dominions in the United Kingdom and the League of Nations, fixed upon the High Commissioner as the logical medium, and urged altering his status to fit the rôle.<sup>6</sup> Mr. Lemieux considered the appointment of a Canadian High Commissioner at Washington, independent of the British Embassy, as a more practicable mode of representation than that of a Canadian Minister.<sup>7</sup> Under the King régime the functions of the new Commissioner, P. C. Larkin, were enlarged and he was also sworn in as a Privy Councillor for Canada.<sup>8</sup> As for New Zealand, Sir James Allen

<sup>1</sup> Cd. 5745, p. 85.

<sup>2</sup> Borden, *op. cit.* p. 109.

<sup>3</sup> E.g. *United Empire*, *passim*.

<sup>4</sup> See tributes to his usefulness by Sir Robert Borden and the Editor in *Canadian Annual Review* (1914), pp. 160, 164.

<sup>5</sup> *Round Table*, vol. vi. p. 340.

<sup>6</sup> *The British Empire and World Peace*, pp. 192-195.

<sup>7</sup> *Journal*, vol. ii. p. 316.

<sup>8</sup> See *Canadian Annual Review* (1922), p. 160; (1923) pp. 109, 111; (1924-25) pp. 46-47.

(the High Commissioner), Sir Thomas Mackenzie and two members of the Cabinet, Sir Francis Bell and Mr. Parr, in particular favoured a vindication of Dominion status by the elevation of the Commissionership to that of a quasi-ambassadorial office.<sup>1</sup>

Formal steps in this direction were taken when the Home Government, in accordance with Canadian representations at the 1923 Conference, granted the High Commissioners precedence after Cabinet Ministers, and the removal of certain irritating discrepancies between their privileges and those of foreign diplomatic representatives as regards British taxation and similar matters was dealt with.<sup>2</sup> On the other hand the most pronounced action on the part of a Dominion was the detailing by Premier Bruce to the Home Government early in 1925 of a liaison officer from the Australian Department of External Affairs for the purpose of keeping his government more closely in touch with developments in London. This officer was granted full access to all Government Departments and to a large part of the confidential papers, including Cabinet papers, in fact was recognised as the personal representative of the Australian Prime Minister and accorded similar privileges. This move was warmly endorsed by the Colonial Secretary, who expressed his willingness to extend the same facilities to any other Dominion which cared to adopt the principle.<sup>3</sup>

The problem of continuous Dominion representation in the United Kingdom, then, appears to be on a fair way to solution on quasi-ambassadorial lines. The outcome will probably be that favoured by *The Round Table*: "The political and commercial functions of the High Commissioners should be separated and entrusted to two separate officials, one selected for his political and diplomatic qualities and confined to such work, and the other for his commercial and consular aptitudes and allotted to that sphere."<sup>4</sup> The general adoption of such a system should be to the mutual advantage both of the Dominions and the Mother Country, regardless of their views on the subject of Imperial

<sup>1</sup> *Canadian Annual Review* (1923), pp. 110-111; *Journal*, vol. iv. pp. 463-464, 868; vol. v. pp. 847-848. The same proposal was raised in the Canadian House (April 13, 1927) by Mr. Bennett (now Conservative leader) and Mr. Cahan (*ibid.* vol. viii. pp. 575-576).

<sup>2</sup> Cmd. 1987, p. 17; *London Gazette* (July 29, 1924); *Journal*, vol. v. pp. 272, 686; *Canadian Annual Review* (1924-25), p. 45.

<sup>3</sup> *Journal*, vol. vi. pp. 680-681, 854-856.

<sup>4</sup> *Round Table*, vol. xiii. pp. 696-697; vol. xiv. p. 232.

co-operation, and should win the support of Imperialists and Nationalists alike. On the one hand quasi-diplomatic representation in London would be a further recognition of Dominion nationhood, and since their spokesmen would act on instructions from the several governments, no threat to Dominion autonomy can be implied. With the marvellous improvement in the facilities for verbal communication of recent years, the discretion accorded diplomatic envoys has suffered a relative decline, so that this objection no longer holds good.

On the other hand, where the will to co-operate is present, such a system would furnish more adequate machinery to attain it. The argument, once cursed by its connection with the Imperial Council project, still holds good, though from the Co-operationist not the Federationist viewpoint. It was restated by Sir George Perley in an interview in *The Times* (London) as follows :

At first sight the problem of co-operation within the Empire would appear to be insoluble. On the one hand, there is the wish of the Dominions to preserve their self-governing status, on the other there is the need for a common foreign policy. I am convinced that the only possible solution of the problem is by means of more frequent and continuous consultation.

In order to make this possible between the meetings of the several Imperial Conferences, it seems to me that the best method would be to have a member of each Dominion government in London, and to have some understanding with members of the British Government whenever any question of general concern to the Empire arose. This would enable the Canadian representative, for instance, to keep his government more fully advised regarding all matters affecting our foreign relations. The representatives together could form a consulting body without the authority of, but on somewhat similar lines to, the War Conference, of which I had the privilege of being a member. My experience is that, difficult as the problems of Imperial relationship may be, they disappear to a great extent when representatives of different parts of the Empire meet around the same table. That was my impression at Geneva as well as here in London.<sup>1</sup>

Steps in this direction have already been taken. When Mr. Thomas was Colonial Secretary he held daily sessions with the High Commissioners in connection with the question of

<sup>1</sup> *Canadian Annual Review* (1923), p. 110. This was during the War ; the same argument, more conservatively expressed, as befitting subsequent conditions, was well stated in *The Round Table*, vol. xiv. p. 664 (September 1924).



representation at the London Conference.<sup>1</sup> Mr. Baldwin adopted a system of conferences of these officers with the British Premier, Colonial Secretary and Foreign Secretary,<sup>2</sup> but in significance apparently this falls far short of the conferences attainable when Dominion Ministers themselves are present.<sup>3</sup>

Just how such a system of representation would work out would be determined by factors extraneous to the system itself. The aim of the foregoing discussion has been to analyse certain tendencies observable, and to point out the most probable way in which various difficulties and objections will be resolved, not to champion any particular scheme. If Imperial co-operation is to be the watchword, these Dominion envoys might well meet frequently, as Sir George Perley suggests, to discuss Imperial questions and expound the views of their several governments. They might also formulate recommendations, but such a function encounters all the difficulties which have scotched similar proposals in the past. In any case such an assembly could not become an effective substitute for the Imperial Conference, for its members could only speak at second hand, they could never bring the prestige and authority of leaders of responsible governments. Their primary function would necessarily be to facilitate the transmission of information and of decisions upon questions of policy.

If, however, Imperial co-operation is to be at a discount, then it must be admitted that such a system of representation lends itself admirably to decentralisation within the Empire. There would no longer be an Imperial headquarters in London. Decisions regarding Dominion attitudes upon issues even of common concern would be made at their several capitals, and transmitted by correspondence or through their mouthpieces, and the presence of their diplomatic representatives in the United Kingdom, with status and functions similar to those of foreign envoys, would merely give ocular testimony to the complete dispersion of the Commonwealth.

Correlative to the problem of securing Dominion representation in the United Kingdom has been that of the Home Government's spokesmen in the Dominions. Here the interest has focussed mainly upon the status and functions of the Governor-

<sup>1</sup> *Journal*, vol. v. p. 500.

<sup>2</sup> *United Empire*, vol. xv. p. 662.

<sup>3</sup> See question by Mr. Thomas (*Journal*, vol. vi. pp. 680-681).

General.<sup>1</sup> Of the three or four rôles which could be filled by this dignitary, that of effective representative of the Home Government, enjoined in his instructions from the Colonial Office to safeguard by active intervention in the domestic affairs of the Colony what are deemed to be the interests of the Mother Country, belongs purely to the Colonial era and is now of historical interest only. As regards the self-governing Dominions, the Governor-General's veto has become as obsolete as that of the King in Great Britain ; his appointing power has been transferred to the Cabinet ; political activity on his part has been the essence of bad form since the days of Sir Francis Bond Head ; the principles governing the practice of reserving bills for the consideration of His Majesty were laid down by Lord Elgin in 1849 and have long been established ; the power of disallowance by the Home Government is no longer a paramount issue.

At the present time there are three aspects to the position of the Governor-General. He might at once be the Titular Executive of the Dominion government, the representative of the British Crown in the Dominion, and the Ambassador there of the Home Government. The first of these is in reality distinct and might be made recognisably so, but in practice it is so merged with the second that it is the source of much misunderstanding, confusion and Nationalistic misrepresentation. The second is nebulous and highly difficult to describe. As for the third, it can and henceforth must be differentiated from the first. In order to consider the future of this office intelligibly, it is necessary to disentangle many constitutional fictions and historical survivals, and to discuss these three aspects separately.

The status and functions of the Titular Executive under any modern parliamentary system may be described briefly, if necessarily in somewhat vague terms. He is to be above all the visible embodiment of what Walter Bagehot so aptly calls " the dignified aspect of the Constitution." <sup>2</sup> Hence he is above and aloof from all political controversy, the vicissitudes of which devolve upon his Ministers. But at the same time his position precludes the latter from arrogating to themselves any special pre-eminence which (as in the United States, where the " dignified " and

<sup>1</sup> See in this connection : Keith, *Responsible Government in the Dominions* (rev. ed.), Part 2, spec. chaps. i, ii, iii, iv, vi, Part 5, chap. 1 ; R. M. Dawson, *The Principle of Official Independence*, chap. 6.

<sup>2</sup> W. Bagehot, *The English Constitution*, 2nd ed., chap. ii.

“efficient” aspects to a great extent merge in the Presidency) would tend to make criticism of the Administration tantamount to disloyalty.<sup>1</sup> Ancillary to this rôle are his “efficient” functions. Constitutional fictions render him the most effective of stop-gaps during the process of installing a new government, and lend continuity to the permanent services. Furthermore, he still has “the right to be consulted, the right to encourage, and the right to warn,” so that if he have wisdom and experience he may informally be of great help to the effective rulers, whereas if he have not, these rights would be nugatory and he could do no harm.

Save where a Masaryk or a Hindenburg can personify the national consciousness, it would seem that the hereditary principle, if deep-rooted historically, is the best calculated to furnish a Titular Executive with the requisite qualifications. This has been recognised in the Dominions. They have preferred its most available alternative, viceregal dignity, to that of elevating to the Governor-Generalship some local plutocrat or retired politician, neither of whom could command the requisite brand of honour in his own country. The Irish Free State was able to find a qualified Irishman for the office, but in Canada Mr. Ewart's suggestions first that Sir Wilfrid Laurier and later that Sir Robert Borden be selected never took hold,<sup>2</sup> nor was any interest evoked by the contention of two Labour members of the House (June 15, 1925) that the post should no longer be filled from the “so-called nobility” but by a Canadian, or else abolished and the functions transferred to the Chief Justice.<sup>3</sup> The salient proposal in the opposite direction was for the appointment of a Prince of the Blood Royal to hold office for life, subject to removal by the King of his own motion or on address from both Houses.<sup>4</sup> This was intended to enhance the dignity of the office, yet admittedly implied the establishment of local kingships in the Empire. Hence it is a matter of speculation whether it would tend to

<sup>1</sup> Though most noticeable during the War period, this seems to be inherent in the “Presidential” system.

<sup>2</sup> J. S. Ewart, *Kingdom Papers*, vol. i. p. 143; *Canadian Annual Review* (1921), pp. 245-246.

<sup>3</sup> *Journal*, vol. vi. pp. 525-526. The latter proposal, though it might prove workable, would certainly offset any resultant saving to the tax-payers by its inconvenience and the confusion in constitutional theory it would entail.

<sup>4</sup> G. F. Hamilton, “A Prince of Canada,” *United Empire*, vol. ii. pp. 380-387.

magnify or weaken the effectiveness of the Governor-Generalship as an Imperial link.

Although solicitude for the preservation of viceregal dignity may decry the elevation of local candidates to the office, yet it need not involve a disregard of Dominion wishes in the matter. On the contrary full consultation with the government primarily involved is an essential of Dominion status. During the Colonial era the Governor as spokesman of the Home Government was selected accordingly. For instance, when this point arose in 1888 in connection with the nomination of a new Governor for Queensland, the Colonial Secretary repudiated the suggestion of consultation with the local authorities, to whom a candidate admirably suited from the Home Government's standpoint might be entirely unknown.<sup>1</sup> In course of time consultation with the Dominion governments became the established practice. During the debate on the Irish Free State (Agreement) Act in the British House, Mr. Churchill stated the principles at present operative in the choice of Governors-General :

The treaty prescribes that a general adherence to the Canadian precedents shall be followed in these constitutional matters, and, of course, in the appointment of a Governor-General for Canada, great pains are taken by those who have that responsibility to discharge to make an appointment in accordance with the legitimate wishes and feelings of that great Dominion. The Dominions do not seek to choose or to decide, but it would be extremely bad Imperial diplomacy and Imperial administration to make appointments which one had not ascertained beforehand to be in accordance with the feelings and interests of the Dominions. These are not matters capable of being reduced to a rigid statutory structure. They are matters relating to smooth, convenient, administrative processes, and similar methods will be followed in dealing with the Irish Free State, if, and when, it is fully constituted.<sup>2</sup>

Nevertheless, this point has variously been raised upon occasion in recent years. Premier Meighen was called upon to reassure a Liberal member regarding the appointment of Lord Byng,<sup>3</sup> and General Smuts to emphasise that prior consultation with the Dominion government was now the rule throughout the Empire, that South Africa was no whit inferior to Canada or the Irish Free State in this respect.<sup>4</sup>

<sup>1</sup> R. M. Dawson, *op. cit.* pp. 187-188.

<sup>2</sup> *Journal*, vol. iii. p. 285.

<sup>3</sup> (June 4, 1921) ; *Journal*, vol. ii. p. 857.

<sup>4</sup> (January 31 and May 17, 1924) ; *ibid.* vol. v. pp. 162-163, 385.

The more extreme Nationalists have been inclined to go further and to demand formal recognition of Dominion initiative in the matter of nominations to the office and the elimination of the British Cabinet from the proceedings.<sup>1</sup> The latter is insisted upon as the earnest of equality with the United Kingdom. Co-operationists are content with the existing arrangements under which the process of selection, like that of extension of term or it may be of premature retirement, is shrouded to an extent in mystery, but apparently consultation is untrammelled and suggestions may originate freely with either government. It is difficult to see what practical advantage would accrue from the adoption of the more Nationalistic alternative of precisely enjoining the procedure to be followed—say provisions for formal nomination by the Dominion government, commission by the Crown, and removal prior to the expiry of the term fixed, if desired, on address from the Dominion parliament. The effectiveness of the Governor-General as an Imperial link would certainly be diminished thereby, which is perhaps the principal motive for the suggestion, but this is a question of policy for the Dominions to decide. The dignity of the office would probably be lessened, which is undesirable on practical grounds in any Parliamentary country. There would be added a further item to the formal recognition of Dominion status—the repudiation of what perpetuates some of the forms though no longer the substance of a Colonial régime. Against this must be weighed the real sacrifice of flexibility and informality which the present system affords. There would not be one tittle of actual gain as regards Dominion autonomy, nor would the proposal from the practical standpoint render the Governor-General more satisfactory as titular head of the Dominion government.

The constitutional relation of the Governor-General and the Dominion Cabinet is properly a domestic question—as much so as in the United Kingdom itself—and should be so regarded. Probably the tradition, abetted by historians, of constitutional struggles in the Outer Empire which were essentially between the Home Government on the one hand and the Colonial population on the other, is primarily to blame for the regrettable fact that when such an issue arises it seems inevitable that Downing

<sup>1</sup> E.g. Mr. Vien, Canada (*Journal*, vol. ii. p. 324); Dr. D. F. Malan and Mr. Wilcocks, South Africa (*ibid.* vol. i. p. 551, vol. v. pp. 162–164).

Street and the British connection must be dragged in to obfuscate the controversy and supply political capital to all participants. The differences between the Canadian Prime Minister and the late Governor-General regarding a dissolution of Parliament furnish a recent instance.<sup>1</sup>

Prior to the 1924 election in the United Kingdom the discretion of the Crown in refusing dissolution under certain circumstances was still an open question. In fact Liberal strategy on that occasion seems to have been based on the assumption that it existed and would be invoked. Unfortunately the closely analogous situation in Canada arose subsequent to the British episode and was decided in opposite fashion. The Governor-General first refused a dissolution to Mr. King and later granted it to Mr. Meighen when it appeared that he, too, could not carry on. If the discretion of the Crown in Britain regarding the refusal of dissolution now seems to be assimilated to that of veto or dismissal of Ministries, such does not appear to be the case in Canada. No doubt uniformity in constitutional practice throughout the Empire and deference to British precedent in the Dominions is desirable ; it does not, however, appear essential. In any case it is not the function of the Home Government to determine the matter. If a deadlock should occur in a Dominion, it would be their duty to recall the Governor-General ; until then they should remain passive observers. There is no indication of intention to pursue other than this rôle,<sup>2</sup> nor is there justification in this age for confusing domestic constitutional crises in the Outer Empire with government from Downing Street.

The remaining aspects of the Governor-Generalship may be disposed of briefly. The importance of the office as a bond of Empire arises essentially from the reflected prestige of the Crown, and ranks with that of several other secondary links. To discuss it would involve an excursion into the field of social psychology

<sup>1</sup> See *Canadian Annual Review* (1926-27), pp. 31-44, 69-75 ; see also Dawson, *loc. cit.*, for earlier instances, and Keith, *Responsible Government*, pp. 134-152.

<sup>2</sup> In response to the question in the House as to whether he was consulted by or advised the Governor-General in any way on the recent crisis in Canada, the Secretary of State for the Dominions stated : " The answer is in the negative. The intervention of His Majesty's Government in the domestic affairs of a Dominion is precluded by recognised constitutional principles " (*Journal*, vol. vii. p. 457).

which need not be undertaken at this point. Suffice it to say that the viceregal principle, provided the injunctions offered in the preceding paragraphs are observed, does offer at once probably the most satisfactory basis for selecting the Titular Executives of the Dominions and an opportunity to maintain through these dignitaries important ties among the several nations of the Empire. The evolution of the economic and consequently of the social and political life of the Mother Country has blurred the identity and prestige of the older landed nobility, which has been looked upon heretofore to furnish such emissaries of the Crown. With the decline, however, of the "efficient" functions of the office, the whole Empire now offers men of eminence admirably qualified for these positions, so that if the rôle which the Governor-General is called upon to fill be reasonably understood there need not be apprehension as to the future of the office.

The Governor-General has always been, in the third place, the representative of the Home Government in the Dominion. In Colonial times he was its active agent. His future position in this regard was long at issue. Throughout the discussions, from 1907 onward, of projects for improving the machinery of communication between the Home and Dominion Governments, their bearing upon his status has been a considered factor. One of the earlier arguments against continuous Dominion representation in the United Kingdom was that the presence of such spokesmen with whom the Home Government would communicate directly implied a depreciation of his office and would cause embarrassment. When in 1918 the principle of direct communication among the Premiers as heads of equal governments was endorsed, it was recognised that this involved a marked decline in the importance of the traditional channel of communication. Some foresaw the abolition of the office, but the real implication is a concentration henceforth upon his rôle as Titular Executive, at the expense of other functions.<sup>1</sup> At the same time there have been proposals tending in the opposite direction, that is toward transforming the office of Governor-General into that of British Ambassador to the Dominion.

<sup>1</sup> *Round Table*, vol. ix. p. 173 (Canada), vol. x. pp. 900-901 (Australia); cf. Premier Hughes' suggestion in the 1918 Conference that the Governor-General should be appointed by and be responsible to the British Prime Minister's office (Cd. 9177, pp. 156-157).

A rounded project of this nature was discussed in an article in *The Times* of February 6, 1925, as follows :

There is now no question of any Governor-General trying to interfere in the complete autonomy of the Dominion over which he presides, or of Great Britain trying to make him do so. The question of status and autonomy belongs to the past. On the other hand the need of effective representation of a diplomatic character is rapidly increasing. Why should not the Governor-General in future be appointed mainly for his diplomatic qualifications, and be given the title of High Commissioner, as is the case already in South Africa, as well as that of Governor-General? And, similarly, what could be more simple than gradually to select High Commissioners for their diplomatic qualities, accredit them to the Foreign Office, and transfer their purely commercial functions to another official? These changes would give to the nations of the Empire the inter-Imperial diplomatic machinery for consultation which it does not possess to-day.<sup>1</sup>

The situation at present is that the continued merging of the three aspects of the Governor-Generalship has been rendered impracticable, and the devolving of at least one of them necessitated, by the operation of three factors especially—the increasing emphasis upon Dominion participation in the choice of these officials, which renders them correspondingly less representative of the Home Government, the authorisation of more direct channels of communication within the Empire, and the moves toward quasi-diplomatic representation of the Dominions in the Mother Country. The passing of the old relationship between metropolis and colony through the Colonial Office and Governor has necessitated a new intermediary, and the modern principle of Britannic equality demands that he shall be ambassadorial rather than pro-consular. *The Round Table* argues :

The existence of an equal status between the Dominions and the United Kingdom involves more than the right of the former to have plenipotentiary representatives of their own at the capital of the United Kingdom. It also involves the right of the latter to have a plenipotentiary representative of its own at the capital of each Dominion. . . . A reasonable course, if the Dominions desire to have the appointment of their own Governors-General in their own hands, would seem to be to separate the formal and social functions of the Governor-General, which are analogous to those of a constitutional monarch, from what may be called the quasi-ambassadorial functions; and for the Dominion government to appoint any person agreeable to itself to discharge the former, while the government of the United

<sup>1</sup> Quoted in *Round Table*, vol. xv., at p. 240.



Kingdom should appoint a servant of its own to perform the latter, and to hold a position in the Dominion exactly analogous to that of the representative of the Dominion in London.<sup>1</sup>

The course pursued in recent years has been entirely in the direction here recommended. As regards the Governor-General, General Smuts, for instance, strongly asserted that, under the new system in the Empire, he should be what he is called under their constitution, the representative of the King, and nothing else.<sup>2</sup> Sir Robert Borden also, on the motion for an address to the retiring Duke of Devonshire, drew attention to the fact that more and more the constitutional relation of the Governor-General to his Ministers approximated that of the King to the British Ministry.<sup>3</sup> In the course of a statement in the *Dail* on June 11, 1926, the Free State Minister of Finance said :

I certainly do not take the view that the Governor-General is in any way the representative of a foreign Power. He represents one of the elements of the Oireachtas. He stands here as a representative of the Crown, but the Governor-General cannot be appointed without the assent of the Government of the Saorstát Eireann. The Governor-General will, in future, as I say, so far as the Saorstát Eireann is concerned, be one of the citizens of the State, and the office may serve a very practical utility in the future.<sup>4</sup>

The issue may be considered to have been definitely settled by the report of the Imperial Relations Committee of the 1926 Conference, on the following basis :

In our opinion it is an essential consequence of the equality of status existing among the members of the British Commonwealth of Nations, that the Governor-General of a Dominion is the representative of the Crown, holding in all essential respects the same position in relation to the administration of public affairs in a Dominion as is held by His Majesty the King in Great Britain, and that he is not a representative or agent of His Majesty's Government in Great Britain or of any department of that Government.

It seemed to us to follow that the practice whereby the Governor-General of a Dominion is the formal official channel of communication between His Majesty's Government in Great Britain and his governments in the Dominions might be regarded as no longer wholly in accordance with the constitutional position of the Governor-General. It was thought that the recognised official channel of communication

<sup>1</sup> *Round Table*, vol. xi. p. 553 ; cf. vol. xiii. p. 488. The necessity of mutual diplomatic representation was reasserted strongly by this journal in commenting on the Locarno agreements ; *ibid.* vol. xvi. p. 22.

<sup>2</sup> (June 1920) *Journal*, vol. i. p. 546.

<sup>3</sup> (June 3, 1921) *ibid.* vol. ii. p. 857.

<sup>4</sup> *Ibid.* vol. vii. p. 682.

should be, in the future, between government and government direct . . . but it was recognised by the committee as an essential feature of any change or development in the channels of communication that the Governor-General should be supplied with copies of all documents of importance and in general should be kept as fully informed as is His Majesty the King in Great Britain of Cabinet business and public affairs.<sup>1</sup>

This formally repudiates the idea that the Governor-General may be utilised as British Ambassador to the Dominion. He retains, of course, his viceregal status, but by his close identification with the Dominion government, and the devolution of his former functions, he becomes a more tenuous bond<sup>a</sup> of Empire than ever before.

The Conference also affirmed for the third time the practice of direct communication among the heads of equal governments. It also endorsed in principle the complementary proposition of establishing a separate corps of British ambassadors to the Dominions.<sup>2</sup> In order that direct communication may operate effectively it would seem that such a system of mutual diplomatic representation throughout the Empire as is envisaged by *The Round Table* has become essential, which is in fact the view which the Home Government has taken of the matter.<sup>3</sup> These three pronouncements of the 1926 Conference regarding

<sup>1</sup> Cmd. 2768, p. 16.

<sup>2</sup> The section of the Conference memorandum dealing with this subject runs as follows :

A special aspect of the question of consultation which we considered was that concerning the representation of Great Britain in the Dominions. By reason of his constitutional position, as explained in Section IV-B of this report, the Governor-General is no longer a representative of His Majesty's Government in Great Britain. There is no one, therefore, in the Dominion capitals in a position to represent with authority the views of His Majesty's Government in Great Britain. We summed up our conclusions in the following resolution which is submitted for the consideration of the conference "The Governments represented at the Imperial Conference are impressed with the desirability of developing a system of personal contact, both in London and in the Dominion capitals, to supplement the present system of intercommunication and the reciprocal supply of information on affairs requiring joint consideration. The manner in which any new system is to be worked out is a matter for consideration and settlement between His Majesty's Governments in Great Britain and the Dominions with due regard to the circumstances of each particular part of the Empire, it being understood that any new arrangements should be supplementary to and not in replacement of the system of direct communication from Government to Government, and the special arrangements which have been in force since 1918 for communications between the Prime Ministers" (*ibid.* p. 27).

<sup>3</sup> E.g. the appointment in 1928 of Sir William Clark to be High Commissioner in Canada.

machinery of co-operation are all compatible with the loosest kind of Britannic alliance. They are clearly based upon the assumption of complete decentralisation in Imperial organisation.<sup>1</sup> Looking back only as far as the resolution of 1917 the progress in this direction has been indeed startling.

Despite the great amount of attention which has been devoted to it throughout the course of the Britannic controversy, machinery after all merely affords means to facilitate the achievement of ends. True, in the political realm the possession of thoroughly integrated machinery and the coercive authority it affords may prove an inestimable aid in the consolidation of an area and the promotion of homogeneity of sentiment. The United States under the Constitution established by the Federalists and Soviet Russia to-day afford striking testimony to this fact, and had the Imperialists been successful in setting up their federal system all these things would speedily have been added to them. The existing machinery of co-operation within the Commonwealth, however, affords no such positive assistance. It is, so to speak, neutral in its operation—valuable if not adequate when the will to co-operate is dominant, equally adapted to the maintenance of such slight or intermittent contacts as a group of entirely separate and independent states might find desirable for their purposes. Since the War questions touching the international status of the Dominions and their attitudes to world politics have been uppermost; the problem of the Commonwealth has become the problem of its foreign affairs. It is in terms of this that the controversies over internal relations have found expression; to this also the issue of Imperial defence, which prior to the War was a separate and major subject of interest, has been subordinated,<sup>2</sup> and it is by the external policies of the British Nations that the utilisation of the machinery which has been fashioned, the future of the Commonwealth itself, will be determined. The remainder of the present discussion, accordingly, will be devoted to a somewhat detailed consideration of the various episodes and developments in the international relations of the Empire since the outbreak of the War.

<sup>1</sup> For this reason such proposals were not broached without severely adverse comment; for instance, the strong criticism in a New Zealand newspaper of Lord Haldane's endorsing the suggestion of British Ambassadors to the Dominions, quoted in *Round Table*, vol. xiv., at p. 415.

<sup>2</sup> For succinct discussions of the vicissitudes of Imperial defence since the War, see Keith, *op. cit.*, pt. v. ch. x., and Jebb, *The Empire in Eclipse* h. iv.

*Printed in England at THE BALLANTYNE PRESS*  
SPOTTISWOODE, BALLANTYNE & CO. LTD.  
*Colchester, London & Eton*











